Friday
14th December,
1956

PARLIAMENTARY DEBATES

HOUSE OF THE PEOPLE

OFFICIAL REPORT

(Part I- Questions and Answers)

1956

PARLIAMENT SECRETARIAT
NEW DELHI

799LSD

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LOK SABHA

Friday, 14th December, 1956

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Indigenous Systems of Medicine in Delhi

*1169. **Shri Bhagwat Jha Azad :** Will the Minister of **Health** be pleased to state whether any steps have been taken for surveying the existing facilities available in Delhi for the Ayurvedic, Unani and Homoeopathic systems of medicine?

The Deputy Minister of Health (Shrimati Chandrasekhar) : Yes. A committee was appointed for the purpose by the Delhi State Government on the 6th September, 1956. The committee has not up-to-date sent in any report.

Shri Bhagwat Jha Azad : What is the machinery set up by this committee through which this survey is being made?

Shrimati Chandrasekhar : A committee has been set up with Pandit Rameshwar Dayal as Chairman and there are 14 other members.

Shri Bhagwat Jha Azad : May I know whther the hon. Deputy Minister has got any information whether the work has been started at all by this committee?

Shrimati Chandrasekhar : Yes, they have held one or two meetings.

Shri Bhagwat Jha Azad : May I know whether any time-limit has been fixed within which this committee will submit its report?

Shrimati Chandrasekhar : As far as my information goes, I do not think there is any time-limit.

Rural Health Schemes in Kerala

*1170. **Shri A.... Gopalan :** Will the Minister of **Health** be pleased to State:

(a) whether any scheme for the control of Filaria and for the supply of the good drinking water for the Second Five Year Plan has been received by the Government of India from Kerala; and

(b) if so, whether Government will lay a copy of the same on the Table?

The Deputy Minister of Health (Shrimati Chandrasekhar): (a) and (b). No new scheme from the Government of Kerala for the control of Filaria and for the supply of good drinking water for the Second Five Year Plan has so far been received by the Government of India.

Shri A. K. Gopalan : May I know whether the Government has got any plan included in the second Five Year Plan for the control of malaria and also filaria?

Shrimati Chandrasekhar : In the second Five Year Plan we will continue the same national filaria control programme. For this, in the first Five Year Plan, the Central Government's share was Rs. 109·87 lakhs and the contribution of the State Governments was Rs. 41·66 lakhs. That programme will be continued. The provision in the second Five Year Plan is, I think, about Rs. 600 lakhs and odd.

Shri A. K. Gopalan : May I know the filarial centres that have been taken up and also the result after these centres have been set up—whether there is any decrease or increase in this disease?

Shrimati Chandrasekhar : We allocated 13 control units and 22 survey units of which 11 control units are functioning in the various States. Also, 18 survey units are working in those States. This was started towards the latter part of the first Five Year Plan and it is too early to assess the results of this work.

Shri A. M. Thomas : The idea was to tackle this question of filaria also on the basis on which malaria was tackled. But so far, on State-wide basis no steps have been taken, like DDT spraying or anything like that. May I enquire what exactly is the reason for that, because Kerala, as you know, is the most filaria-stricken area?

Shrimati Chandrasekhar : We know that Kerala is one of the areas where filaria is prevalent. That is why we have also set up a training centre there for train-

ing field workers which is essential for controlling filaria, in Ernakulam in Kerala State. We have now made an extensive survey of control work in areas in the former T.C. State and we have had successful results. Only last week some of the officials from the Ministry went to Kerala State and the people have been pleased; they say they are much happier now.

Shri Damodara Menon: The hon. Minister stated that no new scheme has been submitted by the Kerala Government to the Centre. May I know whether the Centre have asked the new Kerala State to submit an integrated scheme for the control of malaria and supply of drinking water?

Shrimati Chandrasekhar: We have requested them to send a scheme and it is awaited.

Shri A. M. Thomas: The idea was to kill the mosquitoes, as in the case of malaria, by extensive spraying. But I understand no extensive steps have been taken in that direction for want of adequate personnel. May I enquire from the hon. Deputy Minister whether she would give directions to carry out those schemes?

Shrimati Chandrasekhar: Extensive spraying is being done and steps are taken for the training of personnel. For the Member's information, I can say that during 1955-56, 3 medical officers and 5 filaria inspectors were trained. During 1956-57, 2 filaria inspectors have been trained and 6 filaria inspectors are under training at present at the Malaria Institute of India, Old Delhi.

Planning Forums

*1171. **Shri T.B. Vittal Rao:**
Shri Velayudhan:

Will the Minister of **Planning** be pleased to state:

(a) whether the Government are aware of the recommendation of the Southern Regional Conference of Planing Forums which concluded its Session at Trivandrum in September, 1956 regarding the constitution of Planning Forums in all States; and

(b) if so, decision of Government in this regard?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) and (b). The Southern Regional Conference of Planning Forums held at Trivandrum in September, 1956 did not make any recommendation regarding the constitution of Planning Forums in all States. As the Hon'ble Members are aware, a large number of Planning Forums has already been formed in the Universities and the constitutent colleges in various parts of the country. The Central Executive Committee of the Planning Forums, a meeting of which was held in Trivandrum in September, 1956 considered certain measures for coordinating the work of the Planning Forums. One of the recommendations of the Committee was that a body should be set up at the State level to coordinate the work relating to Planning Forums. A reference was made in the Southern Regional Conference to this and other recommendations of the Central Executive Committee. I may add that the recommendations of the Central Executive Committee are being examined and implemented to the extent possible.

Shri T. B. Vittal Rao: May I know the reasons which prevent an early decision being arrived at, because the utility of these Planning Forums has been recognised?

Shri S. N. Mishra: In fact, I am very particular about the progress being made. So far as the work of the Planning Forums is concerned, we are taking all possible steps to expedite the progress.

Shri T. B. Vittal Rao: May I know whether the constitution of these Planning Forums entails any financial liability on the Government?

Shri S. N. Mishra: It may in a very small measure; but, all those things are being examined at the moment.

Shri N. M. Lingam: May I know how the deliberations of the Planning Forums are being integrated with the larger work of the Planning Commission?

Shri S. N. Mishra: For that, I would like to refer the hon. Member to a pamphlet we have issued and which probably is in the hands of hon. Members now, explaining what is the function of the Planning Forums, how they have been conceived, how the Planning Commission wants to utilise them etc. But I can say that whatever opinions and views are forwarded to us by the Planning Forums as a result of their discussions, we give due consideration to them and to the extent possible, we try to accommodate them wherever necessary.

Homoeopathy

*1172. **Shri Krishnacharya Joshi:** Will the Minister of **Health** be pleased to state:

(a) whether Government of Bombay and West Bengal have started a centre for post-graduate training and research in Homoeopathy; and

(b) if so, whether Government have sanctioned any grant-in-aid to those centres?

The Deputy Minister of Health (Shrimati Chandrasekhar): (a) The post-graduate training and research centre in Homoeopathy at Bombay has not yet been started by the Bombay Government. So far as West Bengal is concerned, there is no proposal to start such a centre.

(b) The Government of India have sanctioned a sum of Rs. 38,020/-/- to the Government of Bombay for starting the Post-Graduate Training Centre in Homoeopathy at the Government Homoeopathic Hospital, Sion, Bombay.

Shri Krishnacharya Joshi: May I know whether in addition to grants-in-aid, any other financial help is given for the encouragement of homoeopathy?

Shrimati Chandrasekhar: If the hon. Member means research work in homoeopathy in other institutions, Rs. 20,000 each for the setting up of 10 research beds during the current financial year have been given to the Andhra Provincial Medical College and Hospital at Gudivada and the Midnapore Hospital and College at Midnapore.

Women Village Level Workers

*1173. **Shri Jhulan Sinha:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the progress that the scheme for training of women village level workers in Home Economics has made so far; and

(b) the total cost incurred by Government as contribution to the Scheme?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) and (b). A statement is placed on the Table of the Lok Sabha. [*See* Appendix IV, annexure No. 72].

Shri Jhulan Sinha: May I enquire State-wise the number of centres functioning now?

Dr. P. S. Deshmukh: I have got the whole list.

Mr. Speaker: Is the list a long one?

Dr. P. S. Deshmukh: There are 14 States and 27 Centres. Andhra has got two, Assam 1 . . .

Mr. Speaker: It is not necessary.

Shri Jhulan Sinha: May I enquire whether after training in these centres, the village level women workers have increased their efficiency and do any work outside the zone assigned to them?

Dr. P. S. Deshmukh: It is not for the purpose of increasing efficiency that the training is being given. The training is given to see that they are in a position to do the job which we expect of them. This scheme for women village level works has just been put into effect. It is too early to judge.

Shri Jhulan Sinha: May I enquire if all these trained women workers have been put in government service or they are employed in their own homes?

Dr. P. S. Deshmukh: They are all in government service.

श्री भक्त दर्शन : क्या यह सत्य है कि इन केन्द्रों में गृह विज्ञान की जो शिक्षा दी जा रही है वह उन महिलाओं द्वारा दी जा रही है जिन को पिछले दिनों हवाई द्वीप में शिक्षा मिलती थी, और क्या इस लिये वे यहां आ कर केवल हवाई बातें सिखला रही हैं, अर्थात् काम की कोई बात नहीं सिखला रही हैं ?

डा० पं० शे० दक्षमुख : हवाई द्वीप हवा पर नहीं है, भूमि पर है और वहां पर उनकी शिक्षा हुई है।

Shrimati Jayashri: May I know what is the minimum qualification required for giving this training?

Dr. P. S. Deshmukh: We are trying to secure matriculates if possible. If they are not available, we take even those who are Middle school passed.

Model Houses

*1174. **Shri S. C. Samanta:** Will the Minister of **Community Development** be pleased to state:

(a) whether the type designs of various model houses for adoption in villages in Community Project areas were received from the Rural Cell of the Ministry of Works, Housing and Supply;

(b) if so, whether those types and specifications were accepted by State Governments for Project areas; and

(c) whether any manual on Rural Housing has been published by the Ministry?

The Minister of Community Development (Shri S. K. Dey): (a) and (c). Type designs of various model houses have been published in the manual on Rural Housing by the Ministry of Works, Housing and Supply and circulated by this Ministry to all Development Commissioners and Training Centres.

(b) These designs and specifications are used by State Governments as background material and are adopted to the extent necessary to suit local needs and conditions.

Shri S. C. Samanta: May I know if the percentage of money allotted to a block is spent for housing and whether Government have given special directions to have the houses built?

Shri S. K. Dey: There is a small provision of Rs. 75,000 in the Community Development block for utilisation either for rural housing or housing for other purposes. Wherever there is demand for rural housing, expenditure is incurred out of this budget. The State Governments have been asked, as far as possible, to build houses according to rural pattern.

Shri S. C. Samanta: May I know whether over and above the work in the W.H.S. Ministry, the Transport Ministry through its Roads Research Institute at Okhla is helping in any way about the designs of houses?

Shri S. K. Dey: Not to my knowledge.

श्रीमती कमलेन्दुमति शाह : क्या मैं जान सकती हूं कि इस प्रकार के घर गांवों में कम से कम कितनी कीमत में बन सकते हैं ?

Shri S. K. Dey: We have specified a general ceiling of Rs. 750 per house.

Shri N. M. Lingam: The hon. Minister said that the designs of the W.H.S. Ministry are used only as background material for rural housing schemes in the various States. May I enquire if the Community Development Ministry has prescribed any design as suitable to the various regions all over the country with the help of this background material instead of leaving it to the State Governments to do this?

Shri S. K. Dey: Conditions vary from State to State and sometimes from District to District and Tehsil to Tehsil. It is impossible from the Centre to specify type designs that would be applicable for the country all over.

श्री विभूति मिश्र : माननीय मंत्री जी ने अभी बतलाया कि ७५० रु० में एक घर बनेगा । क्या कभी माननीय मंत्री जी ने देखा है कि गांवों में ७५० रु० खर्च करने वाले लोग कितने परसेंट तक हैं ? उन के लिये सरकार क्या सोच रही है ?

Shri S. K. Dey: This amount is usually meant for people who cannot afford to spend money of their own. The amount is given to them as a long term loan.

Locomotives and Carriages

*1175. **Shri Dabhi:** Will the Minister of **Railways** be pleased to refer to the reply given to Starred Question No. 2136 on 13th September, 1956 and state:

(a) the extent of the insufficient stock of the narrow guage locomotives and carriages on the Western Railway; and

(b) the number of locomotives and carriages procured so far and to be procured during the current financial year?

The Deputy Minister of Railways and Transport (Shri Shahnawaz Khan):

(a) Locomotives	20
Carriages	32

(b) Provision of 81 Narrow Gauge locomotives, 633 passenger coaches, and 4021 wagons on replacement account has been made in the Second Five Year Plan for all Narrow Gauge Sections of the Indian Railways and the Western Railway will be allotted its due share.

Shri Dabhi: May I know whether the stock is sufficient as most of the engines and other locomotives and carriages are out-of-date and over-aged?

Shri Shahnawaz Khan: We hope it will be sufficient. These are by no means as many as we would like to have. Under the circumstances, we are doing our best.

Flood Damages

*1178. **Dr. Ram Subhag Singh:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether there is any proposal to make a survey of the flood-affected areas in the country and collect information regarding the damages done to the recently constructed bunds, canal roads and reservoirs in those areas;

(b) whether these constructions have in any areas increased the rigours of the floods;

(c) if so, the names of those areas; and

(d) whether suitable steps will be taken to provide more bridges and culverts in such areas to allow flood water to escape?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) Such surveys have been or are being carried out by the States concerned.

(b) Except for the Governments of Bombay, Jammu and Kashmir and the Punjab, whose replies are still awaited, only the Government of Assam and the Delhi authorities have reported that the construction of embankments appear to have slightly increased the rigour of floods in some localised areas.

(c) and (d). A statement giving the requisite information is laid on the Table of the House. [*See* Appendix IV, annexure No. 73.]

डा० राम सुभग सिंह : जो स्टेटमेंट टेबल पर रक्खा गया है, उस से ज्ञात होता है कि आसाम में करीब ६५ स्क्वायर मील में और दिल्ली के कुछ क्षेत्रों में बाढ़ की कठिनाई बहुत ज्यादा बढ़ गई है, हालांकि उपमंत्री महोदय ने कहा कि थोड़ी सी ही बढ़ी है। तो क्या इन बांधों को बनाते वक्त इस दिक्कत को नहीं महसूस किया गया ?

श्री इया० नं० मिश्र : इन दिक्कतों को साफ तौर से देखा गया था, उन के बारे में कोई धुंधलापन नहीं था क्योंकि कुछ दिक्कतें तो लाजिमी तौर पर होनी ही थीं। जहां तक दो तटबंधों के बीच की बस्तियों का सवाल है, उन को तो भी तकलीफें होनी ही थीं। उन बस्तियों के बारे में सोचा जा रहा है कि उन को उठा कर किन दूसरी जगहों पर ले जाया जाय। इसके लिये कुछ सूरतें पैदा की जा रही हैं। इसी तरह से आसाम में बंध बनने के पीछे जो तकलीफें हुई वह लाजमी थीं और उन के बारे में भी राहत देने की सूरतें सोची जा रही हैं।

श्री फीरोज गांधी : इन नहरों और बांधों की वजह से रेलवे लाइनों को जो नुकसान हो रहा है, इसके बारे में भी क्या प्लानिंग कमिशन ने गौर किया है और क्या इस बात पर विचार किया है कि इन दोनों विभागों के अन्दर कोआर्डिनेशन होना चाहिये और नहरें और बांध बनाने के पहले इस पहलू पर भी गौर कर लिया जाना चाहिये ?

श्री इया० नं० मिश्र : जी हां, इन विभागों के बीच भी कोआर्डिनेशन हो इसके बारे में सोचा जाता है। बल्कि अब तो सड़कों पर जो ब्रिज हैं या पुल हैं, या रेलों पर जो पुल हैं, उन सभी को एक साथ मिलाकर पूरे नक्शे में दिखाया जाये उसके लिये कई राज्य सरकारों ने कमेटियां भी बनाई हैं।

डा० राम सुभग सिंह : यह जो स्टेटमेंट है इसमें बड़े बड़े बांधों के बारे में जैसे ब्रह्मपुत्र वगैरह पर, सूचना दी गई है। दूसरे राज्यों के बारे में माननीय मंत्री जी ने कुछ नहीं बताया कि वहां जो छोटे मोटे बांध बनाये गये हैं चाहे नदियों पर सिंचाई की व्यवस्था करने के लिये बनाये गये हों चाहे किसी और कारण से उनके कारण बाढ़ की दिक्कत बहुत बढ़ गई है। ऐसे क्षेत्रों के बारे में अब तक सूचना संकलित क्यों नहीं की गई है और कब तक माननीय मंत्री इस सूचना को यहां पेश कर सकेंगे ?

श्री इया० नं० मिश्र : माननीय सदस्य खास तौर पर किसी क्षेत्र के बारे में कहें तो मैं कुछ कह सकता हूं। लेकिन एक विशाल पैमाने पर सारे देश की छोटी मोटी योजनाओं के बारे में यदि वह जानकारी चाहते हैं तो इसको एकत्र करने में काफी दिन लग सकते हैं। अभी तक जितना ब्योरा मिला वह उनके सामने पेश कर दिया गया है।

श्री फीरोज गांधी : अभी माननीय मंत्री जी ने कहा कि कोई खास मिसाल पेश की जाये। मैं बताना चाहता हूं कि दिल्ली में शाहदरा का बांध बनाया गया है और इसकी वजह से जो यमुना ब्रिज है उसके ऊपर असर हो रहा है। मैं

चाहता हूं कि क्या इस बांध को बनाने के पहले इस बात पर भी गौर किया गया था कि इस पुल के ऊपर इसका असर पड़ सकता है ?

श्री इया० नं० मिश्र : मैं अधिकार-पूर्वक इसके बारे में कुछ कह सकूं, ऐसी स्थिति में नहीं हूं । इसका कारण यह है कि इससे रेलवे मंत्रालय का भी ताल्लुक है ।

श्री फीरोज गांधी : मैं केवल इतना पूछना चाहता हूं कि शाहदरा बांध बनाने के पहले रेलवे मंत्रालय से इजाजत ली गई थी और उससे पूछा गया था कि यह बांध बनाया जाये या न बनाया जाये ?

श्री इया० नं० मिश्र : इसके बारे में मैं सूचना चाहूंगा ।

डा० राम सुभग सिंह : अभी माननीय मंत्री जी ने कहा कि किसी जगह का नाम बताया जाये, तो मैं सूचना दे सकता हूं । अभी हाल ही में पूर्वी उत्तर प्रदेश और बिहार के पश्चिमी जिलों में खासतौर से बनारस, गाजीपुर, शाहबाद वगैरह में बाढ़ों के कारण सैकड़ों गांव जलमग्न हो गये थे और फसलों को बहुत ज्यादा हानि पहुंची थी । क्या माननीय मंत्री यह निश्चित रूप से बता सकते हैं कि बांध बनाने की वजह से या नई नहरें बनाने की वजह से जितने गांव डूबे हैं, उन गांवों की रक्षा के लिये अगली बरसात के मौसिम के पहले कोई व्यवस्था कर दी जायेगी या नहीं ?

श्री इया० नं० मिश्र : यह प्रश्न काफी पहलुओं को एक साथ लेकर चलता है । मैं इसके बारे में इससे ज्यादा कुछ नहीं कह सकता जो कि मैंने अपने मुख्य उत्तर में बता दिया है । जिन राज्य सरकारों ने हमारे पास सूचनायें भेजी हैं वे सारी सूचनायें, मैंने माननीय सदस्य के सामने रख दी हैं । बाकी सरकारों ने अभी तक कोई सूचनायें नहीं भेजी हैं ।

जहां तक राहत पहुंचाने की बात है, मैं यह कह सकता हूं कि राहत पहुंचान की हर मुमकिन कोशिश की जायेगी ।

महेन्द्रू घाट स्टीमर स्टेशन

*११७६. **श्री विभूति मिश्र** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या महेन्द्रू घाट (उत्तर पूर्व रेलवे) स्टीमर स्टेशन पर होने वाली बहुत अधिक भीड़ को कम करने के लिये कोई योजना बनाई गई है :

(ख) यदि हां, तो वह योजना क्या है; और

(ग) उसे कब लागू किया जा रहा है ?

रेलवे तथा परिवहन उपमंत्री (श्री शाहनवाज खां) : (क) से (ग) . जी, हां । महेन्द्रू घाट स्टीमर स्टेशन पर भीड़ की रोक-थाम के लिये स्टेशन की एक नयी इमारत बनाने की योजना तैयार की गयी थी । इस के लिये मौजूदा घाट स्टेशन के पास पी० डब्ल्यू० डी० के सुपरिण्टेण्डिंग इंजीनियर का बंगला और दफ्तर लेने का विचार है । इस सम्पत्ति को लेन के लिये बिहार सरकार से बात-चीत चल रही है । जब यह रेलवे प्रशासन को मिल जायेगी, स्टेशन की नयी इमारत बना दी जायेगी ।

श्री विभूति मिश्र : बड़ी खुशी की बात है कि रेलवे मंत्री जी भी वहां रह चुके हैं । मैं यह जानना चाहता हूं कि यह चीज कब फाइनेलाइज होगी और कितना समय पत्र-व्यवहार में लगेगा । वहां पर लोग बहुत ज्यादा कष्ट में हैं और खास तौर से नार्थ बिहार वाले तो बहुत ही कष्ट में हैं । कब तक आप इस मसले को हल करेंगे, यह मैं जानना चाहता हूं ?

श्री जाहनवाज खां : हम इस मसले को हल करने के लिये बड़े बेताब हैं लेकिन यह जो जमीन देवी है यह तो बिहार सरकार ने देवी है। अगर माननीय सदस्य वहां भी हमारी कुछ मदद कर सकें तो हम बहुत मजबूर होंगे।

श्री विभूति मिश्र : हमारे रेल मंत्री श्री भी यहां पर हैं और बिहार के चीफ़ मिनिस्टर साहब भी यहां हैं। वे दोनों मिलकर इस मसले को हल क्यों नहीं कर लेते। इस से नाहक बिहार की कोई दो करोड़ जनता को बहुत कष्ट हो रहा है।

रेलवे तथा परिवहन मंत्री (श्री लाल-बहादुर राम) : मैं बिहार गवर्नमेंट को लिखूंगा और कहूंगा कि वह इस बात का जल्दी निश्चय करें जिससे कि हमें जमीन मिल जाये ताकि हम स्टेशन को बड़ा बना सकें।

Temporary Railway Staff

*1180. **Shri Bahadur Singh**: Will the Minister of **Railways** be pleased to state:

(a) whether the Ministry have decided not to forward applications of the temporary staff both clerical or technical to other Ministries; and

(b) what are the reasons of putting such restrictions?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) Acute shortage of experienced staff for the implementation of the Railways' own Development Plans.

Shri Bahadur Singh: When no such restriction exists in any other Ministry, what was the special reason for putting such a restriction here?

Shri Alagesan: As I have said, the railways themselves have got very huge plans, and we have been taking special steps to recruit staff, both temporary and permanent, and under the circumstances we will be very loath to give up our staff to other departments unless they choose to resign and apply elsewhere.

Shri T. B. Vittal Rao: When there is such development work going on in the Railways, why do they not confirm these temporary staff in the railways themselves?

Shri Alagesan: That is a separate question, but that is also being taken care of.

Dams in West Bengal

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*1181. **Shri Jhulan Sinha:**
Shri H. N. Mukerjee:
Shri K. K. Basu:

Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether his attention has been drawn to reports emanating from expert sources, that the recent floods in West Bengal have revealed defects in the system of dams and their operation;

(b) whether an authoritative assessment of the effect of dams is in contemplation; and

(c) whether he will direct an immediate survey of the drainage system of North India in general and of West Bengal in particular?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) No such reports have come to the notice of Government.

(b) No such assessment is under contemplation.

(c) This has already been taken up by the Punjab, Bihar, U.P. and West Bengal Governments.

Shri Jhulan Sinha: May I know if the Government have been able to find out any extraordinary cause for these extraordinary floods in West Bengal last time?

Shri S. N. Mishra: The definition of the word "extraordinary" is somewhat difficult, but I can say that mainly it can be attributed to very heavy rainfall during that particular period, but there are some other reasons, and I think it will not be possible for me to go into them all here.

Shri K. K. Basu: Is it true that the gates of the Mayurakshi dam and also the Durgapur barrage were all of a sudden opened out as a result whereof the large gush of water resulted ultimately in the flooding of this area? This came out in the press.

Shri S. N. Mishra: I am receiving this information for the first time.

Shri K. K. Basu: Is it true that in the lower Damodar area the construction of the canal resulted in some of the normal drainage outlets being blocked resulting in the flooding of the area on the sides of these canals?

* **Shri S. N. Mishra** : All considerations of the topography were taken into account, but it is thought that it was due to unusually heavy precipitation in the particular area to which the hon. Member refers.

Shri M. K. Moitra : Has the attention of the Government been drawn to a representation handed over to the Prime Minister of India when he visited the Kandi subdivision in which it has been categorically stated that the sudden release of water from the Canada Massanjore dam on the 26th September flooded the areas of Kandi?

Shri S. N. Mishra : I take this information from the hon. Member that a memorandum was submitted.

Shri M. K. Moitra : This was handed over to the Prime Minister.

Mr. Speaker : This hon. Minister is not the Prime Minister.

Shri Sadhan Gupta : But it is joint responsibility.

Mr. Speaker : I am not disputing it. All that the Minister says is that he has for the first time come to know of this from the hon. Member.

Shri V. P. Nayar : May I know whether it is not a fact that before the construction of these dams in question, systematic studies for collecting the hydrological and geological data in the areas concerned were not made, and that what data Government had were based on haphazard collections?

Shri S. N. Mishra : I do not accept this assumption. To the extent it is necessary and possible, all the data are sought to be collected.

Shri M. K. Moitra : May I know whether Government have taken any steps to remove the sand deposits that have collected over an area of 200 acres in that locality, as a result of the sudden release of water from the Canada-Massanjore dam?

Shri S. N. Mishra : I think the State Government would be doing the needful in this respect.

मद्य-निषेध जांच समिति

*११८४. **श्री भक्त दर्शन** : क्या योजना मंत्री यह बताने की कृपा करेंगे कि द्वितीय पंचवर्षीय योजना के अधीन नियुक्त मद्यनिषेध जांच समिति की रिपोर्ट पर विचार करने के बाद तैयार किये गये कार्यक्रम को कार्यान्वित करने की दिशा में इस बीच क्या प्रगति हुई है?

योजना उपमंत्री (श्री इया० नं० मिश्र) : मद्यनिषेध जांच समिति की रिपोर्ट पर विचार करने के बाद तैयार किये गये कार्यक्रम को कार्यान्वित करने के सम्बन्ध में विभिन्न राज्यों ने जो कदम उठाये हैं उनका ब्यौरा सभा की मेज पर रख दिया गया है। [देखिये परिशिष्ट ४, अनुबन्ध संख्या ७४]।

श्री भक्त दर्शन : इस ब्यौरे में बतलाया गया है कि दिल्ली के होटलों, रेस्टोरेन्टों, मद्यपान गृहों तथा थियेटरों में जनता में मद्यपान पर पाबन्दी लगा दी गई है। क्या गवर्नमेंट के ध्यान में यह बात आई है कि इस कागजी पाबन्दी के बावजूद, अभी तक इन सार्वजनिक स्थानों में मद्यपान का खुला प्रयोग हो रहा है महा प्रदर्शन हो रहा है और खास तौर पर यूनेस्को सम्मेलन के अवसर पर तो खूब मद्यपान किया गया? क्या गवर्नमेंट इस बारे में कोई सख्त कदम उठाने का विचार कर रही है?

श्री इया० नं० मिश्र : मैं तो ऐसा मानना चाहूंगा कि कानून का अच्छी तरह से पालन हो रहा है, लेकिन जैसा कि माननीय सदस्य जानते हैं, कानून के पालन में बहुत सी कठिनाइयां कम से कम शुरू की हालतों में होती हैं और वे धीरे धीरे खत्म हो जाती हैं। जहां तक यूनेस्को कान्फ्रेंस का सम्बन्ध है, जिसका कि माननीय सदस्य ने हवाला दिया मैं समझता हूं कि उसमें सम्मिलित होने के लिये हमारे जो माननीय अतिथि बाहर से आये हैं उनके बारे में खास तौर पर कुछ सुविधायें रखी गयी होंगी और उनको इस प्रश्न से मिलाना मुनासिब नहीं होगा।

श्री भक्त दर्शन : क्या गवर्नमेंट के ध्यान में यह बात आई है कि यूनेस्को सम्मेलन के अवसर पर जो विदेशी अतिथि आये हुये थे, उनके बहाने से बहुत से माननीय

लोगों ने भी उनको दी जाने वाली सुविधाओं का दुरुपयोग किया और खूब मद्यपान किया ?

श्री इया० नं० मिश्र: यह मुमकिन है कि ऐसा हुआ हो ।

श्री भक्त दर्शन: इस समिति ने एक यह सिफारिश की थी और गवर्नमेंट ने पंचवर्षीय योजना में उसको स्वीकार भी किया है कि लोगों को मद्य निषेध के प्रति प्रेरित करने के लिये जहां तक हो सके "चीप एण्ड हैल्दी साफ्ट ड्रिंक्स" का निर्माण किया जाय और उनका प्रचार किया जाय । क्या मैं जान सकता हूं कि क्या इस सम्बन्ध में कोई विशेष कदम उठाये जा रहे हैं ?

श्री इया० नं० मिश्र : उस समिति की रिपोर्ट के मुताबिक हम लोगों ने ये सिफारिशें राज्य सरकारों के ध्यान में ला दी हैं और मेरा ख्याल है कि वे इस सम्बन्ध में भी उचित कार्यवाही करती होंगी ।

श्रीमती कमलेन्दुमति शाह : क्या सरकार इस बात पर विचार कर रही है कि जिन स्थानों पर मद्यपान किया जाता है, उनको रात के ग्यारह बजे के बाद खुला न रहने दिया जाय ?

Shri S. N. Mishra : I could not catch the question.

Mr. Speaker : The hon. Member may repeat her question.

Shrimati Kamlendumati Shah : Do Government propose to see that such places will not be allowed to be kept open after 11 p.m. ?

Mr. Speaker : That is, there should be no night-clubs.

Shrimati Kamlendumati Shah: Do Government propose to see that no night-clubs or hotels are allowed to function after 11 p.m. ?

Mr. Speaker : It is a suggestion for action.

Shri S. N. Mishra : Yes.

टिड्डियों के बारे में अनुसंधान

*११८६. **श्री प० ला० बाकणकर** : क्या खाद्य और कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या टिड्डियों के बारे में एक अनुसंधान भवन बनाने के लिये राजस्थान में कोई जमीन ली गई है ; और

(ख) इस भवन का निर्माण कब कराया जायेगा ?

कृषि मंत्री (डा० पं० ज० देशमुख) : (क) एक स्थान पसन्द कर लिया गया है और थोड़े समय में ही प्राप्त कर लिया जायेगा ।

(ख) जमीन प्राप्त होने के बाद शीघ्र ही भवन बना दिया जायेगा ।

श्री प० ला० बाकणकर : इस पर कितने रुपए खर्च किए जायेंगे और राजस्थान के कौन से हिस्से में यह अनुसन्धानशाला खोली जायगी ?

डा० पं० ज० देशमुख : इस स्टेशन पर कुल खर्चा २,९८,६२० रुपए का होगा और सेकंड फ़ाइव-यीअर प्लेन में इस का प्राविज़न किया गया है। उस में से १,५८,००० रुपया रिकरिंग है और १,४०,००० रुपया नान-रिकरिंग है ।

Mr. Speaker : Next Question. Shri Kajrolkar.

Shri Gidwani: I have been authorised by him. May I put it?

Mr. Speaker : Not now, but later on.

Canal Water Dues from Pakistan

*1189. **Shri Gidwani** : Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether it is a fact that Pakistan Government have withheld payment of canal water dues since July, 1950 according to the agreement between the two countries;

(b) whether the Government of India have sent any communication to the Government of Pakistan in this respect;

(c) whether any reply has been received from the Pakistan Government; and

(d) if so, what is the reply?

The Deputy Minister of Planning (Shri S. N. Mishra) : (a) Under the agreement of May 4, 1948, the Government of Pakistan is required to pay, on account of canal water charges, such *ad hoc* sums as may be specified by the Prime Minister of India. A part of these sums relating to seigniorage charges and the interest on the capital cost of the Madhopur Headworks and carrier channels is disputed by Pakistan. The payment of disputed charges has been withheld by Pakistan since July, 1950.

(b) Yes, Sir.

(c) and (d). Only iterim replies have been received from the Government of Pakistan.

Shri Gidwani : May I know the total amount of dues now outstanding against Pakistan?

Shri S. N. Mishra : Under the head 'undisputed', the total amount due is Rs. 18,45,981. Under the head 'disputed' the amount due is Rs. 76,08,905.

Shri Gidwani : In case Pakistan does not pay the amount, what action do Government propose to take in the matter?

Shri S. N. Mishra : I do not think we can be so pessimistic or cynical about it. We hope to settle the account with them quite satisfactorily, although the time taken has been rather long—and we quite appreciate the anxiety and impatience of hon. Members in this regard.

Shri Gadgil : May I know whether the amount is the price to be paid for the water supplied? Will it not be worthwhile considering that if the price is not paid, the commodity can be withheld?

Shri S. N. Mishra : This is a suggestion. At the same time, it has an undercurrent of a typical sarcasm of which the hon. Member is certainly capable.

Mr. Speaker : The hon. Member is only asking why particular kinds of remmedies may not be applied for recovering these dues? The hon. Member is entitled to ask why other methods should not be applied for recovering them.

Shri S. N. Mishra : We have not lost hope that the methods that we are pursuing at the moment would not succeed. So, why should we think of others.

Sardar Hukam Singh : What excuse has been advanced for the non-payment of the undisputed sum of Rs. 18 lakhs odd?

Shri S. N. Mishra : Up to the end of June 1956, they have already cleared the account. We do not think that there is any difficulty in that respect.

Sardar Hukam Singh : A sum of Rs. 18 lakhs odd has accumulated as undisputed amount of dues. That is admitted by Pakistan. Have the Pakistan Government given any excuse for non-payment of even this amount?

Shri S. N. Mishra : I think it might be only a procedural delay. Otherwise, there is no difficulty. One instalment that was payable by June last has already been paid, and I think the other instalment would be paid soon.

Dr. Taylor's Report on Community Projects

*1190. **Shri Raghubir Sahai** : Will the Minister of **Community Development** be pleased to refer to the reply given to Starred Question No. 550 on the 28th November, 1956 in regard to the reactions of Government on Dr. Taylor's report and state: (a) whether any final decisions have been arrived at after studying the report;

(b) if so, what are they;

(c) whether any fresh instructions have been issued for carrying out development work;

(d) if so, whether a copy thereof will be laid on the Table of the Sabha; and

(e) whether as a result of this report any change is contemplated either in policy or its execution at any level of the development work in the country?

The Minister of Community Development (Shri S. K. Dey) : (a) and (b). The following procedure has been laid down in connection with action on Dr. Taylor's report:

(1) The main conclusions and recommendations contained in the report along with other Evaluation reports would be considered by the Development Committee of the Ministers as well as the Advisory Committee consisting of the Chief Secretary, Development Commissioner and Secretaries and Heads of Departments, in each State;

(2) Important points in the report should be taken up for discussion at inter-State seminars;

(3) State Governments should take action on specific points in respect of which further examination is not considered necessary.

(c) and (d). The report is under examination both by the State Governments and the Ministry of Community Development. Common measures agreed to between the Centre and the States will be incorporated as part of general instructions which will be issued after the Report has been fully processed along with other reports received during the year.

(e) No basic change in policy is visualised, but there will be some adjustment in emphasis on certain aspects of the programme.

Shri Raghubir Sahai : From the answer of the hon. Minister, it appears that due importance is being attached to the observations of Dr. Taylor. On page 20 of his report, Dr. Taylor says:

> "I am inclined to believe that added official personnel, added official machinery and propaganda methods have not contributed to the use of sound community development or extension methods".

May I know whether this amounts to the conclusion that whatever we have spent so far on community development has been wasted?

Shri S. K. Dey : Democracy is a very slow process of development, as the hon. Member knows. It is very unfair to expect that perfection in community organisation shall be achieved overnight.

Dr. Ram Subhag Singh : Is it necessary to preach theory here? A clear reply should be given.

Shri Raghubir Sahai : I would like to draw the attention of the hon. Minister to another passage in the report of Dr. Taylor. On page 30, it is said :

> "The job of social education organisers has not developed in full operation in the way it was originally delineated".

In the light of this observation, may I know what steps are proposed to be taken to make proper selection of these organisers and to give them proper training so as to make them useful?

Shri S. K. Dey : This is a new subject which has yet to develop to its fullest potential in India. Every effort is being made to improve the quality of training through the appointment of proper staff as also by the adjustment in the syllabus, in addition to adjustment in qualifications for recruitment.

Shri Raghubir Sahai : I will again draw his attention to the following remarks of Dr. Taylor:

> "On the whole, it appears to me at the moment that the district office staff are the weakest link in the chain of the development programme".

If so, may I know from the hon. Minister what steps are being taken or are being proposed to be taken so as to remove this difficulty?

Shri S. K. Dey : It is difficult to build up technical experience overnight. Every effort is being made to strengthen the district organisation in all technical departments. But experience will grow with time and, therefore, the process will be slow.

Shri Thanu Pillai : The hon. Minister says that the democratic process is very slow. May I have from the hon. Minister a very liberal estimate of the amount of money that has so far been spent on community projects and has borne fruit, and also what amount has gone into waste?

Shri S. K. Dey : It is very difficult to estimate the percentage that has gone into waste. Every enterprise, whether commercial or otherwise, involves an element of waste, and there must have been some waste in the community development programme also. We are convinced that is has been as low as it possibly could be.

Shri Thanu Pillai : Have we got any machinery for estimating the results? If so, what is the result of that examination?

Shri S. K. Dey : There is the Evaluation Organisation working under the Planning Commission, which makes an independent assessment of the whole programme. There is also the Administrative Intelligence Section in the Ministry of Community Development which makes an independent observation based on reports received from States. The two results are checked. In addition, there are observations by supervisory officers from headquarters going down to the field.

Banihal Tunnel

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*1191. { **Sardar Akarpuri:** / **Sardar Iqbal Singh:**

Will the Minister of **Transport** be pleased to state:

(a) whether the boring of first tube of Banihal tunnel has been completed;

(b) if so, whether the traffic has started through this tunnel; and

(c) when the second tunnel will be completed?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes Sir.

(b) It is proposed to open the western tube of the tunnel to limited light-motor vehicle traffic on the 22nd December 1956.

(c) By the end of 1958.

सरदार अछरपुरी : क्या मैं जान सकता हूं कि वैस्ट टनल पर कितना खर्च आया है, और इस में केन्द्रीय सरकार का कितना है और काश्मीर सरकार का कितना है ?

Shri Alagesan: This tunnel is on the National Highway. So the entire expenditure is borne by the Central Government. Up till now, that is, up to October 1956, an expenditure of Rs. 69·5 lakhs has been incurred.

डूंगरपुर-बांसवाड़ा-रतलाम रेलवे लाइन

*११६२. **श्री भीखा भाई** : क्या रेलवे मंत्री २५ अगस्त, १६५६ के तारांकित प्रश्न संख्या १४१४ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या डूंगरपुर-बांसवाड़ा-रतलाम रेलवे लाइन का प्रारम्भिक सर्वेक्षण इस बीच शुरू हो गया है ; और

(ख) यदि हां, तो क्या प्रारम्भिक सर्वेक्षण में जनता का सहयोग प्राप्त करने के लिये सरकार ने प्रयत्न किया है ?

रेलवे तथा परिवहन उपमंत्री (श्री शाहनवाज खां): (क) जी हां। यातायात और प्रारम्भिक इंजीनियरिंग सर्वे (Reconnaissance Engineering Survey) हो रहा है।

(ख) जी हां। सर्वे अफसरों को हिदायत दी गई है कि जहां जरूरत पड़े जनता का सहयोग प्राप्त करें।

श्री भीखा भाई : क्या मैं जान सकता हूं कि रेलवे सर्वे कब तक समाप्त होगी और जनता का सहयोग प्राप्त करने के लिये क्या तरीके अपनाये गये हैं ?

श्री शाहनवाज खां : उम्मीद है कि सर्वे अप्रैल, सन् १६५७ तक खत्म हो जायेगी और जनता का सहयोग तब हासिल किया जायगा तब जरूरत पड़ेगी।

श्री भीखा भाई : क्या मैं जान सकता हूं कि फायनल लोकेशन सर्वे कब स्टार्ट होगी ?

श्री शाहनवाज खां : इस सर्वे के बाद।

श्री भीखा भाई : क्या मैं जान सकता हूं कि पिछड़े प्रदेश होने के नाते, जो इंडस्ट्रियल परपेजेज के लिये रेलवे लाइन खोली जा रही है उनके पश्चात् उसको प्राथमिकता दी जायेगी ?

श्री शाहनवाज खां : यह बाद में सोचा जायेगा।

Fishing Trawlers

*1193. **Shri B. Shiva Rao**: Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether two fishing trawlers were sent to Mangalore, before the last monsoon, for demonstration purposes;

(b) the results of these demonstrations;

(c) whether there is any proposal for locating such trawlers as a permanent measure at any of the ports within the State of Mysore;

(d) whether an expert on fisheries, Dr. Harding visited some of the fishing centres on the West Coast in October last;

(e) whether any report has been submitted by Dr. Harding; and

(f) what are the principal recommendations in the report?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes, by the State Government of Madras.

(b) It has stimulated interest in shrimp production in general and has convincingly

demonstrated to the fishermen the advantages of trawling with mechanised boats over their present gear and method.

(c) Yes.

(d) Yes.

(e) Not so far.

(f) Does not arise.

Shri B. Shiva Rao: May I know whether any reply has been given to the Government of Mysore on the representation made in regard to part (c) of the question?

Dr. P. S. Deshmukh: The reply is in the affirmative.

Shri B. Shiva Rao: With reference to the answer to parts (d) and (e), may I know whether Dr. Harding was instructed to investigate the possibilities of co-operatives in the development of fisheries?

Dr. P. S. Deshmukh: Yes. He has carried out certain investigations and he has now been succeeded by another marketing expert. His report is yet awaited.

Shri V. P. Nayar: May I know whether Dr. Harding was deputed to find out the possibilities of developing the commercial fisheries of the hitherto unexplored Wadge Bank, off the coast of Kerala?

Dr. P. S. Deshmukh: He was essentially deputed to continue this survey and initiate one or two pilot projects on co-operative marketing of fish.

Shri Achuthan: The hon. Minister replied in answer to part (c) 'yes'. May I know whether these trawlers will be made available to the ports situated in Mysore State only or will they also be available to other ports in Kerala State so that the fishermen there can have the experience?

Dr. P. S. Deshmukh: This forms part of the Second Five Year Plan. Wherever there is provision, these trawlers will be made available.

Shri Damodara Menon: May I know where these two trawlers are at present located?

Dr. P. S. Deshmukh: I think they are working in South Kanara.

Calcutta Corporation

*1194. **Shri M. K. Moitra:** Will the Minister of **Health** be pleased to state:

(a) whether Calcutta Corporation has made proposals through the State Government for Water Supply and drainage; and

(b) the action Government have been taking in that respect?

The Deputy Minister of Health (Shrimati Chandrasekhar): (a) and (b). No proposal of the Calcutta Corporation for Water Supply and Sanitation has so far been received by the Government of India from the Government of West Bengal.

Shri Sadhan Gupta: May I know whether anything has been sanctioned in the Second Five Year Plan for increase of water supply in Calcutta and, if so, whether in view of the acute water shortage in Calcutta, the West Bengal Government has been asked to submit schemes at an early date to the Government of India?

Shrimati Chandrasekhar: A letter was sent to the State Government asking them to send up proposals for water supply and sanitation schemes of the Corporation and it was also mentioned in the letter to Calcutta that Rs. 225 lakhs will be available for the Corporation and we have not received any reply from them.

Shri Sadhan Gupta: When was the letter sent?

Shrimati Chandrasekhar: On the 22nd September, 1956.

Regional Stations of Indian Agricultural Research Institute

*1196. **Shri Achuthan:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether there was a proposal to open regional stations of Indian Agricultural Research Institute in different parts of the country including one in Kerala;

(b) when it is going to materialize; and

(c) if not, the reasons therefor?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes.

(b) The proposal has been dropped for the present.

(c) In pursuance of the recommendations made by the Joint-Indo-American Team on Agricultural Research and Education in India that Central Institutes should not normally establish Regional Research Stations and facilities for research work already available in the States should be availed of or further developed.

Shri Achuthan: May I know, that after the dropping of the proposal, whether the amounts allotted for the purpose will be given to the respective State Governments for research purposes?

Dr. P. S. Deshmukh: Since the provision exists, when we have decided to strengthen the existing stations in charge of the State Governments, we may draw on this.

Shri Achuthan: May I know what was the total amount allotted for the whole purpose and may I also know if the recommendations are going to be implemented and not a single research station other than the existing ones will be opened?

Dr. P. S. Deshmukh: I do not think that would be correct because if our existing State stations will be developed, they will probably be as good as the Central Stations which we originally contemplated.

श्री विभूति मिश्र : बिहार में कोई एग्रीकल्चरल रिसर्च इंस्टीच्यूट खोलने की योजना है कि नहीं ?

डा० पं० श० देशमुख : अभी नहीं खोला गया है । यह प्रपोजल था कि हम कुछ रीजनल सेंटर्स खोलें जो हमारे पूसा इंस्टीच्यूट की ब्रांचेज हों मगर अभी यह सिफारिश की गई है कि ऐसा करना ठीक नहीं होगा और बेहतर यह होगा कि जो स्टेट्स के रीजनल स्टेशंस हैं उन्हीं को डेवलप किया जायगा ।

Passenger Amenities

*1197. **Shri Bhagwat Jha Azad:**
Shri Dabhi:
Shri M. R. Krishna:

Will the Minister of **Railways** be pleased to state:

(a) whether any committee has been set up to examine the present amenities available to Class III passengers inside compartments; and

(b) if so, what are the terms of reference of this committee?

The Deputy Minister of Railways and Transport (Shri Shahnawaz Khan): (a) Yes.

(b) A statement is placed on the Table of the House. [*See* Appendix IV, annexure No. 75]

Shri Bhagwat Jha Azad: May I know whether this Committee would also go into the requirements and the demands of the third class travelling passengers for sleeping accomnodation as well?

Shri Shahnawaz Khan: No, Sir; this does not form part of the terms of reference of this committee.

Shri Bhagwat Jha Azad: May I know whether any time-limit has been fixed for this committee to submit its report?

Shri Shahnawaz Khan: No time-limit is fixed; but, I hope the report would be available before the end of this month.

Shri T. B. Vittal Rao: Two members of this three-men committee belong to the Northern Railway Zone. Am I to understand that passenger amenities are better in the Northern Railway Zone than in other zones?

Shri Shahnawaz Khan: We do not make any distinction among the Railway officers. They are quite capable of looking at things dispassionately.

Shri Velayudhan: May I know whether the committee will enquire into the matter of giving better taps in the third class compartments because, at present, it is very difficult to get water and they must be worked through the pressure of two persons—whether they will give taps just like in the first class?

Shri Shahnawaz Khan: That aspect will be looked into.

Shri Bhagwat Jha Azad: May I know whether it is the intention of Government to implement the recommendations that are likely to be made by this committee in the next Railway Budget?

Shri Shahnawaz Khan: Yes, Sir.

Shri Dabhi: May I know whtether the public were given the opportunity to express their views on this matter?

Shri Shahnawaz Khan: Public have ample opportunities of expressing their views, either by making direct complaints or through Zonal Committees.

Shri Feroze Gandhi: Or in the General Elections.

Plant Protection

*1198. **Shri Jhulan Sinha** : Will the Minister of **Food and Agriculture** be pleased to state the steps taken and/or proposed to be taken in pursuance of the Plant Protection Agreement for South East Asia and the Pacific to ensure prevention of the introduction of destructive plant pests and diseases from other parts of the world and to check their spread within the region itself?

The Minister of Agriculture (Dr. P. S. Deshmukh): A statement is laid on the Table of the Lok Sabha. [*See* Appendix IV, annexure No 76]

Shri Jhulan Sinha: May I know whether Government have enquired about the magnitude of the prevalence of such pests and diseases which has necessitated the expenditure already undertaken and also proposed to be undertaken on the facilities therefor?

Dr. P. S. Deshmukh: It is difficult to describe the exact degree of prevalence of these pests and diseases. But what we have undertaken is very very desirable because a small pest can probably damage crores worth of crops and plants. I have not got the figures of the expenditure that has been incurred but it is very much worthwhile doing so.

Fisheries

*1199. **Shri A. K. Gopalan:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the Government of India are having any scheme to improve the fisheries in Kerala State in view of the long coastal belt there;

(b) what is the total export of prawn and other fish from Kerala;

(c) how many fish farms are there in Kerala; and

(d) what are the prospects of developing inland fisheries in Kerala?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes.

(b) The approximate annual exports are:

i. dried prawn.. 4000 tons.
ii. frozen prawn.. between 100 and 150 tons.
iii. other fish .. not available for Kerala as such.

(c) Five brackish water fish farms.

(d) Very limited as compared to marine fisheries.

Shri A. K. Gopalan: In reply to part (a), the Minister said 'Yes'. May I know what are the schemes that are there for the improvement of the fisheries?

Dr. P. S. Deshmukh: Schemes for the development of fisheries in Kerala are expected to cost Rs. 72·1 lakhs. This provision relates to a sum of Rs. 52·9 lakhs for schemes in the former Travancore-Cochin and a sum of Rs. 19·2 lakhs for the Malabar district which was formerly in the Madras State. For the provision of Rs. 52·9 lakhs, the schemes are as follows. There are 9 items. If you want me to give them, I will read.

Mr. Speaker: Nine places?

Dr. P. S. Deshmukh: They are 9 items.

Mr. Speaker: The hon. Minister may read one.

Dr. P. S. Deshmukh: Construction of fishermen's quarters along the sea-coast..

Shri Velayudhan: It would be better if we were given a statement.

Mr. Speaker: The hon. Minister will please lay a statement on the Table and the hon. Members may study it.

Dr. P. S. Deshmukh: Yes, Sir.

Shri V. P. Nayar: May I know whether it is a fact that if the inland fisheries of Kerala State are properly developed, they can meet all the requirements of fish for Kerala so that the entire catch from marine sources could be exported with very great advantage to the people?

Dr. P. S. Deshmukh: I would not go so far and I would not be so optimistic as my friend. But there are certainly possibilities and we are anxious to develop these possibilities.

Shri Velayudhan: May I know whether a cold storage has been recently opened in the State for preserving fish and, if so, whether it is under State auspices or is it given to some private individual?

Dr. P. S. Deshmukh: I would ask for notice of the question.

Shri V. P. Nayar: May I know whether this scheme which the hon. Minister has in mind will have any special bias for relieving the condition of marine fishermen who, for 3 or 4 months because of monsoon difficulties, cannot go out into the sea and are absolutely handicapped in making both ends meet?

Dr. P. S. Deshmukh: I can point out to my hon. friend that the sum of Rs. 19·2 lakhs which has been provided relates to the improvement of fishing tracks, assistance to fishermen co-operative societies, construction of model fish markets, development and exploitation of major reservoirs, supply of salt at subsidised prices to fish curers, training of personnel etc. All these items will go to help of fishermen.

Anti-corruption Organisation, Western Railway

*1200. **Shri Dabhi:** Will the Minister of **Railways** be pleased to refer to the reply given to Starred Question No. 269 on the 27th February, 1956 and state the work so far done by the Anti-corruption Organisation of the Western Railway Zones?

The Deputy Minister of Railways and Transport (Shri Alagesan): A statement is laid on the Table of the House. [*See* Appendix IV, annexure No. 77].

WRITTEN ANSWERS TO QUESTIONS

मंगई बाढ़ नियंत्रण योजना

*११७६. **श्री रा० न० सिंह** : क्या सिंचाई और विद्युत मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि केन्द्रीय सरकार के कहने पर उत्तर प्रदेश सरकार ने बलिया और गाजीपुर के पास मंगई नदी पर बाढ़ को रोकने के लिये जो बांध बनाया जा रहा था, उसका निर्माण कार्य स्थगित कर दिया है ;

(ख) क्या यह भी सच है कि जिन क्षेत्रों के लोगों ने मंगई नदी पर बांध बनवाने की मांग की थी उन्होंने एक ऊंची सड़क बनवाने का सुझाव दिया है ; और

(ग) क्या सरकार को पता है कि अभी तक उस क्षेत्र में सिंचाई के प्रयोजन के लिये या बाढ़ से गांवों और फसलों को बचाने के लिये कोई प्रबन्ध नहीं किया गया है ?

योजना उपमंत्री (श्री इया० नं० मिश्र): (क) से (ग). अपेक्षित जानकारी का एक विवरण सदन की मेज पर रख दिया गया है । [देखिये परिशिष्ट ४, अनुबन्ध संख्या ७८]

Locomotives and Carriages

*1177. **Shri D. C. Sharma:** Will the Minister of **Railways** be pleased to state:

(a) the present stock position of the broad gauge locomotives and carriages on the Northern Railway; and

(b) whether the present stock is sufficient?

The Deputy Minister of Railways and Transport (Shri Shahnawaz Khan): (a) A statement is placed on the Table of the Lok Sabha. [*See* Appendix IV, annexure No. 79].

(b) Not sufficient to meet the demand of passenger traffic in full.

[Freight Brokers' Association

*1182. **Thakur Jugal Kishore Sinha:**
Babu Ramnarayan Singh:

Will the Minister of **Transport** be pleased to state:

(a) whether Government are aware that there is a Freight Brokers' association in Calcutta, Bombay etc. to negotiate the movement of commodities and allotment of space between the shippers and shipping Agent;

(b) whether it is a fact that the membership of the Associaton is limited so that the members of the Association enjoy the monopoly in the matter of brokerage;

(c) whether Government are aware that the monopoly of brokerage so far enjoyed by the Freight Brokers' Associations has resulted in the accumulation of more than one seat into the hands of one individual firm under different names; and

(d) what is the policy of Government towards this Organisation in respect of the ships owned by the Government of India?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) It is true that the rules of the Associations provide for a limited membership but there is provision for admission of new members in accordance with the prescribed procedure.

(c) It appears that the Calcutta Association includes more than one member for each firm on the basis of the number of partners.

(d) It is presumed that the Hon'ble member has in mind the ships owned by the Eastern Shipping Corporation. If so, the booking of the cargo for the Corporation's vessels is done through its own brokers or otherwise, except in the case of the India-Australia and the India-Far East trades where the cargoes are booked through the Members of the Calcutta Freight Brokers' Association in accordance with the arrangements existing between the Conferences and the Brokers' Associations.

Late Arrival of Trains

*1183. **Shri C. R. Chowdary:** Will the Minister of **Railways** be pleased to state the reasons for the late coming of trains from Masalipatam to Narasaraopet, invariably?

The Deputy Minister of Railways and Transport (Shri Shahnawaz Khan): A statement is placed on the Table of the Lok Sabha. [*See* Appendix IV, annexure No 80]

Farm Management Research Centres in Bihar.

*1185. **Shri M. Islamuddin:** Will the Minister of **Food and Agriculture** be pleased state:

(a) whether Farm Management Research Centres are proposed to be established in the agricultural colleges of Bihar; and

(b) if so, when?

The Deputy Minister of Agriculture (Dr. P. S. Deshmukh): (a) and (b). For the purposes of first series of Farm Management Studies India was divided into six typical regions on the basis of crop complex. Those Studies have started and the Agricultural College of Bihar is not one of the places selected for those Studies. When further extension is decided upon, the question of establishing such study in Bihar will come up. That may be under the Third Five Year Plan.

Defective Windows of Carriages

*1187. **Shri Kajrolkar:** Will the Minister of **Railways** be pleased to state:

(a) whether Government have received reports of serious injuries suffered by passengers through sudden dropping of railway windows due to defective arrangements for holding the windows in position; and

(b) the steps Government propose to take to prevent such danger to passengers?

The Deputy Minister of Railways and Transport (Shri Shahnawaz Khan): (a) No. But there have been one or two stray cases on some railways due to the passengers' own neglect.

(b) Does not arise.

परियोजनायें और परियोजना-पदाधिकारी

*1188. **श्री खू० चं० सोचिया :** क्या सामदायक विकास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने अन्तिम मूल्यांकन रिपोर्ट के पृष्ठ १३ पर की गई सिफारिश के अनुसार "परियोजनायें और परियोजना पदाधिकारी" की सफलता का निश्चय करने के लिये कोई कसौटी निर्धारित की है;

(ख) यदि हां, तो वह कसौटी क्या है ; और

(ग) यदि नहीं, तो कसौटी निश्चित करने के लिये क्या कार्यवाही की जा रही है ?

सामदायिक विकास मंत्री (श्री सू० कू० इ) : (क) जी हां ।

(ख) १. प्रोग्राम में वास्तविक सफलता ;

२. जनता का सहयोग ; और

३. सरकारी खर्च में तरक्की ।

(ग) नहीं उठता ।

Howrah Nagpur Passenger Train

*1195. **Shri Kamath:** Will the Minister of **Railways** be pleased to state whether his attention has been drawn to a letter captioned "Privileged Travel" in the Statesman, Delhi edition of the 2nd December 1956 in which an allegation has been made of a first class compartment having been reserved and locked for the use of a Railway official's family?

The **Deputy Minister of Railways and Transport. (Shri Shahnawaz Khan):** Yes. The matter is being enquired into.

Seed Godowns

*1201. **Shri D. C. Sharma:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the amount sanctioned during the year 1956-57 for the construction of godowns for stocking seeds;

(b) the number of godowns estimated to be constructed out of this amount; and

(c) the sites selected for the construction thereof?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Rs. 44·65 lakhs.

(b) 454.

(c) Information is not available.

Rockefeller Fellowship for Agricultural Training

*1202. **Shri Bibhuti Mishra:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that the Rockefeller Foundation (America) has announced grants to some Indian schools in the fields of agricultural training; and

(b) i so, the special features of the grants?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) and (b). A statement is placed on the Table of the Lok Sabha. [*See* Appendix IV, annexure No. 81].

उत्तर प्रदेश में बाढ़ से रक्षा

*१२०३. **श्री रा० न० सिंह** : क्या **सिंचाई और विद्युत** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बांध निर्माण योजना को कार्यान्वित करने के परिणामस्वरूप अभी हाल में जो भयंकर बाढ़ें आई थीं उसके कारण उत्तर प्रदेश के कुछ जिलों की जनता उस योजना के विरुद्ध हो गई है ;

(ख) क्या यह सच है कि बांध या गोल बांध पूर्वी जिलों के लिये उपयुक्त नहीं हैं ; और

(ग) क्या यह सच है कि वहां के लोग बाढ़ से बचने के लिये गांव को ऊंचा करने की योजना को पसन्द करते हैं ?

योजना उपमंत्री (श्री श्या० न० मिश्र): (क) जी नहीं ।

(ख) बांधों का निर्माण बिना सोचे विचारे नहीं किया जाता । बांध वहीं बनाये जाते हैं जहां उनको उपयोगी समझा जाता है ।

(ग) राज्य सरकार की रिपोर्ट के अनुसार इस विषय में वहां की जनता एकमत नहीं है, कुछ लोग गांव को ऊंचा करने की योजना के पक्ष में हैं और कुछ तटबन्धों द्वारा बाढ़ रक्षा को अधिक अच्छा समझते हैं । जब कि पहली योजना से केवल गांवों के मकानों की रक्षा होती है बांध गांव के निवासियों और उनके खेतों की भी रक्षा करते हैं ।

Development of Sundarbans

*1204. **Shri S. C. Samanta :** Will the Minister of **Planning** be pleased to refer to the replies given to Starred Questions Nos. 2702 and 140 on 30th May, 1956 and 20th July 1956, respectively and state:

(a) whether necessary particulars have been received from the West Bengal Government on the scheme for flood-control and development of Sundarbans and 24 Parganas;

(b) if so, how much sum has been sanctioned; and

(c) how much work is expected to be taken up and completed during 1956-57?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) to (c). Information has not yet been received from the State Government. As soon as it becomes available it will be placed on the Table of the House.

Bharat Sewak Samaj

*1205. **Shri Krishnacharya Joshi:** Will the Minister of **Community Development** be pleased to state the nature of the co-operation given by the Bharat Sewak Samaj in the Project areas?

The Minister of Community Development (Shri S. K. Dey): The Bharat Sewak Samaj have been organising Youth Camps, Social Service Camps and Students Campsduring which voluntary labour has been collected towards the construction of local development works, such as village roads, village drains and community buildings for dispensaries, libraries etc. The Samaj have also helped in arousing people's enthusiasm for participating in the programme. Members of the Samaj also participate wherever possible in meetings of Block Advisory Committees and Seminars.

Water Supply at Nagarjunasagar Project

*1206. **Shri C. R. Chowdary:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) the number of taps provided for water supply under Water Supply Scheme in the Nagarjunasagar Projects—

(i) in the officers' quarters,

(ii) in the areas where workers ca m ; and

(b) how far the Water Supply Scheme is effectively working?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) The actual number of taps provided for workers and staff is not readily available. All the Officers and staff quarters have been provided with water supply. Public stand posts have, also been provided for workers in their camps at suitable intervals.

(b) The present water supply scheme is temporary. As the existing arrangements are not considered adequate, a permanent scheme for supply of filtered water to the extent of 10,000 gallons per day on both the banks is under way.

Railway Employees and Strikes

*1207. **Thakur Jugal Kishore Sinha:**
Shri Deogam:
Shri Kamath:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that there has been a break in the services of a large number of the railway employees on the charge of participation in illegal strikes during 1956;

(b) if so, the number of such employees Zone-wise;

(c) whether any demand has been made by the Labour Union for a joint enquiry about the legality or otherwise of the alleged strike and also about the actual participation of the employees concerned; and

(d) if so, the action taken thereon ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) A statement is placed on the Table the House. [*See* Appendix IV, annexure No. 82].

(c) Yes, in some cases.

(d) No enquiry is considered necessary as the fact of participation in illegal strike is established in every case.

हिल स्टेशन

*१२०८. **श्री भक्त दर्शन** : क्या रलवे मंत्री १ मार्च, १९५६ के अतारांकित प्रश्न संख्या १९२ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) कुछ अन्य रेलवे स्टेशनों को हिल स्टेशनों की सूची में सम्मिलित करने के जिस प्रश्न पर विचार किया जा रहा था क्या इस बीच उनके बारे में कोई अन्तिम निर्णय कर लिया गया है ;

(ख) यदि हां, तो क्या उस निर्णय की एक प्रति लोक-सभा की टेबल पर रखी जायेगी ; और

(ग) यदि भाग (क) का उत्तर नकारात्मक है, तो विलम्ब का क्या कारण है ?

रेलवे तथा परिवहन उपमंत्री (श्री शाहनवाज खां) : (क) जी हा ।

(ख) यह फैसला किया गया है कि उन पहाड़ी स्टेशनों की सूची में नये स्टेशन शामिल न किये जायें, जिनके लिये रियायती वापसी टिकट जारी किये जाते हैं ।

(ग) सवाल नहीं उठता ।

बीकानेर-दिल्ली मेल

*१२०९ **श्री प० ला० बारूपाल** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि बीकानेर-दिल्ली मेल में तीसरी श्रेणी के यात्रियों के लिये स्लीपिंग कार की व्यवस्था कब तक कर दी जायेगी ?

रेलवे तथा परिवहन उपमंत्री (श्री शाहनवाज खां) : इस समय प्रयोग के तौर पर कुछ खास गाड़ियों में तीसरे दज में सोने की जगह की व्यवस्था की गई है ।

इसलिये अभी यह नहीं कहा जा सकता कि यह सुविधा दिल्ली-बीकानेर डाकगाड़ी और दूसरी गाड़ियों में कब तक दी जा सकेगी?

Safety of Railway Property

*1210. **Shri Kajrolkar:** Will the Minister of **Railways** be pleased to state:

(a) whether Government have received reports of destruction of cushions and other acts of vandalism in railway compartments;

(b) whether Government are aware that in many compartments cushioned seats have been torn up and passengers have to sit and sleep on bare planks; and

(c) the steps Government have taken to prevent it and save railway property from destruction, and also ensure minimum comforts to railway passengers?

The Deputy Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) Yes.

(b) Occasionally passengers are inconvenienced due to damaged seats but efforts are made to repair the damaged cushions etc. expeditiously and to replace missing fittings at starting stations.

(c) Security arrangements have been tightened on all railways. Empty rakes in stabling yards are pad-locked or key-locked besides, sainiks have been posted to keep watch in stabling yards and they have also been deputed to travel in trains. Guards of trains have also been instructed to keep an eye on empty compartments of the trains in their charge.

रेल-समुद्र समन्वय समिति

*१२११. श्री खू० चं० सोचिया: क्या परिवहन मंत्री २१ जुलाई, १९५६ के तारांकित प्रश्न सं० १८१ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को रेल-समुद्र समन्वय समिति की रिपोर्ट प्राप्त हो गई है ;

(ख) यदि हां, तो कब और सरकार उस पर क्या कार्यवाही कर रही है ; और

(ग) यदि नहीं, तो रिपोर्ट कब तक प्राप्त हो जायेगी ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) अभी तक नहीं मिली है ।

(ख) सवाल ही नहीं पैदा होता :

(ग) आशा है कि रिपोर्ट अगले साल के शुरू तक प्राप्त हो जायेगी ।

Rice from China

*1212. **Shri Bheekha Bhai :** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether a shipment of rice has been received from China under the Sino-Indian Agreement; and

(b) if so, how many more shipments are to be received and when?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) Yes, Sir. Two shipments have already been received.

(b) Six more shipments are expected to be received in the course of this month and the next .

Uniforms for Railway Conductor Guards

*1213. **Shri Kamath :** Will the Minister of **Railways** be pleased to state:

(a) the date on which orders sanctioning uniforms for conductor-guards on the Central Railway were issued;

(b) whether the orders have been implemented and uniforms supplied to those guards;

(c) whether uniforms for winter as well as summer will be supplied; and

(d) if the answer to part (b) is in the negative, the reasons therefor?

The Deputy Minister of Railways and Transport (Shri Shahnawaz Khan): (a) 26-4-1956.

(b) No.

(c) Yes.

(d) Summer uniforms will be supplied for the next summer, as the orders were issued too late for implementing this year. It was intended to supply winter uniforms this year but there has been delay, the reasons for which are being investigated.

Tungabhadra Dam

*1214. **Shri Krishnacharya Joshi:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether the Tungabhadra Dam will be completed by the end of December 1956 as scheduled;

(b) whether the Dam Power House will also be completed by the end of December 1956; and

(c) if not, the reason for the same?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) Yes, Sir; except for the hoisting arrangements for shutters of 13 spans of the spillway.

(b) The power house on the right side of the Dam is expected to be commissioned by the end of December, 1956 as scheduled.

(c) Does not arise.

Passenger Amenities

*1215. **Shri Dabhi :** Will the Minister of **Railways** be pleased to state:

(a) whether Government have undertaken a complete survey of amenities that are necessary in the stations on the

Western, Northern, North-Eastern and Southern Railways; and

(b) if so, when is the survey likely to be completed?

The Deputy Minister of Railways and Transport (Shri Shahnawaz Khan): (a) and (b). Yes. A complete survey of amenities that are necessary at the stations on Western, Northern, North-Eastern and Southern Railways has already been undertaken and completed.

Dairy Development Scheme in Punjab

*1216. **Shri D. C. Sharma :** Will the Minister of **Food and Agriculture** be pleased to state how far the State of Punjab is going to be benefitted by the Dairy Development Scheme envisaged in the Second Five Year Plan?

The Minister of Agriculture (Dr. P. S. Deshmukh) : A statement is laid on the Table of the Lok Sabha. [*See* Appendix IV, annexure No. 83].

Lac Production

*1217. **Shri Bibhuti Mishra :** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether Government contemplate any plan to develop lac production in various States especially in Bihar; and

(b) if so, the nature of the plan and the period within which it is to be implemented?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) Yes.

(b) The plan aims at increasing production of lac in the country to 16 lakhs maunds by 1960-61 through establishment of brood lac farms, survey of idle host plants and other lac extension work.

Trivandrum Medical College

*1218. **Shri A. K. Gopalan:**
Shri A. M. Thomas:

Will the Minister of **Health** be pleased to state:

(a) whether any investigation has been conducted into the working of the Medical College at Trivandrum; and

(b) if so, with what results?

The Deputy Minister of Health (Shrimati Chandrasekhar) : (a) The answer is in the affirmative.

(b) A statement is laid on the Table of the Lok Sabha. [*See* Appendix IV, annexure No. 84].

Sale of Fruits on Railway Stations

*1219. **Thakur Jugal Kishore Sinha:**
Babu Ramnarayan Singh:
Shri Deogam:
Shri Kameth:

Will the Minister of **Railways** be pleased to state the steps that are taken to ensure that the prices of fruits sold at railway stations are not at a higher rate than those obtaining in the market?

The Deputy Minister of Railways and Transport (Shri Shahnawaz Khan) : Local market rates for fruits are ascertained daily at certain important stations and at less frequent intervals at other stations, and rates to be charged at Railway stations are fixed accordingly.

Frequent inspections and surprise checks are made by officers of the Commercial Department to ensure that the rates at stations are not unduly higher than those prevailing in the local markets.

बीकानेर स्टेशन को हटाना

*१२२०. **श्री प० ला० बारूपाल :** क्या **रेलवे** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या रेलवे क्रासिंग की कठिनाई को दूर करने के लिये बीकानेर रेलवे स्टेशन को हटाने की कोई योजना है ; और

(ख) यदि हां, तो कब तक उसके पूर्ण हो जाने की आशा है ?

रेलवे तथा परिवहन उपमंत्री (श्री शाहनवाज खां) : (क) राज्य सरकार से एक सुझाव मिला है जिसमें कहा गया है कि बीकानेर शहर से गुजरने वाली रेलवे लाइन का रास्ता बदल दिया जाये । इस पर विचार ो रहा है ।

(ख) अभी इस बारे में कुछ नहीं कहा जा सकता ।

Passenger Amenities

*1221. **Shri Kajrolkar :** Will the Minister of **Railways** be pleased to state:

(a) whether Government are aware that in a many railway compartments the water taps in the bath rooms are so fitted that the moment they are opened they splash water over the passengers and drench them completely; and

(b) whether Government propose to instruct the authorities to improve the arrangements in the interests of passengers?

The Deputy Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) A statement is placed on the Table of the House. [*See* Appendix IV, annexure No. 85].

(b) The Amenities Committee recently appointed will investigate this item also.

Shipping Target

*895. **Shri Matthen :** Will the Minister of **Transport** be pleased to state:

(a) whether the Planning Commission expect to complete the two million ton target set out in 1947 by the Shipping Policy Committee by the end of the Third Plan period which will necesritate securing of more than one million tons; and

(b) whether Government propose to get it done without a third or even a fourth Yard functioning by the beginning of the Third Plan period. *i.e.*, 1961?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) and (b). It is too early at this stage to specify any target for the development of Shipping in the Third Plan period; nor is it possible to indicate how this will be achieved.

Delhi Road Transport Service

913. **Shri Ram Krishan :** Will the Minister of **Transport** be pleased to state:

(a) what is standard rate of bus fare on Delhi Road Transport Service routes;

(b) whether it is a fact that the rate of bus fare on some of the routes is different from the standard rate;

(c) if so, the names of such routes and the amount of differences; and

(d) the reasons thereof?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) The standard fares for Delhi Transport Service buses are given below:—

Re. -/1/- per mile upto two miles.

Re. -/-/6 per mile for the 3rd and 4th miles.

Re. -/1/- for the 5th mile.

Re. -/-/6 per mile from the 6th mile onwards.

(b) to (d). Express services are run on certain long distance routes connecting various colonies with important points. The fares on the Express Services on these routes are fixed at the concessional rates indicated below:—

S. No.	Details of routes	Standard fares.	Concessional fares	Difference
1.	Tilak Nagar to Central Secretariat .	As. 6½	As. 4	As. 2½
2.	Lajpat Nagar to Central Secretariat .	As. 5	As. 4	As. 1
3.	Kalkaji to Central Secretariat .	As. 5	As. 4	As. 1
4.	Kalkaji to C. P. Oden . .	As. 6	As. 4	As. 2
5.	Malviya Nagar to Railway Station .	As. 7½	As. 4	As. 3½
6.	Kalkaji to Railway Station . .	As. 6½	As. 4	As. 2½
7.	Chiragh Delhi to Delhi . .	As. 7	As. 4	As. 3

In certain cases, the fares on sections which are common to two or more routes vary from the standard rate. Details are given below:—

S. No.	Particulars of sections	Route Nos.	Fares	Difference	Reasons for variation in fares.
1.	Pahar Ganj to Connaught Circus	21	As. 2	As. 1	The fare on route No. 15 is at a concessional rate. This rate is based on the fact that the fare from Pahar Ganj to Gole Market prior to its reorganisation of the route was only Anna 1.
	Pahar Ganj to Connaught Circus (on way to Gole Market)	15	As. 1		
		15	As. 1	As. 1.	
2.	Kashmere Gate to Fountain .	16 & 25	As. 2	As. 1	Route Nos. 16 and 16-A are mofussil. *cum*-urban routes. For the benefit of long distance passengers, the fares on long distance routes are fixed at rates lower than those on other routes.
		23	As. 1	As. 1	
3.	Kashmere Gate to Tibia College.	16-A	As. 3	As. ½	
		25	As. ½		
4.	Moti Nagar to Tilak Nagar .	16	As. 3	As. 1	
		6	As. 2		

Board of Agricultural and Animal Husbandry

914. Shri Ram Krishan : Will the Minister of **Food and Agriculture** be pleased to state refer to the reply given to Unstarred Question No. 886 on the 24th August 1956 and state:

(a) whether the report of the 11th meeting of the Crops and Soils Wings of the Board of Agricultural and Animal Husbandry of the Indian Agricultural Research Institute has since been received; and

(b) if not, the reasons of the delay?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) The report of the 11th meeting of the Crops and Soils Wing of the Board of Agricultural and Animal Husbandry in India has since been received. A copy of the recommendations contained therein is attached. [*See* Appendix IV, annexure No. 86]

(b) Does not arise.

Rohtak-Panipat Line

915. Shri Ram Krishan : Will the Minister of **Railways** be pleased to refer to the reply given to Starred Question No. 1714 on the 3rd September, 1956 and state:

(a) whether the construction work on Rohtak-Panipat dismantled line has been started;

(b) if so, when the work will be completed ; and

(c) if not, the reasons for the delay?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) An abstract estimate amounting to Rs. 47,17,239/- has recently been sanctioned. Preliminary arrangements have been made to start the work. A sum of Rs. 10 lakhs has been allotted during 1956-57.

(b) By 31st March, 1958.

(c) Does not arise.

Locomotives

916. Shri Feroze Gandhi : Will the Minister of **Railways** be pleased to state the average age of locomotives on line in the years 1947-48, 1948-49, 1949-50, 1950-51, 1951-52, 1952-53, 1953-54, 1954-55 and 1955-56?

The Deputy Minister of Railways and Transport (Shri Alagesan) : A statement is laid on the Table of the Lok Sabha. [*See* Appendix IV, annexure No. 87].

आयुर्वेदिक तथा यूनानी चिकित्सा की शिक्षा

६१७. **श्री ह० रा० नचानी** : क्या **स्वास्थ्य** मंत्री यह बताने की कृपा करेंगी कि उन विश्वविद्यालयों और कालेजों के नाम क्या हैं जहां आयुर्वेदिक तथा यूनानी चिकित्सा की शिक्षा दी जाती है ?

स्वास्थ्य उपमंत्री (श्रीमती चन्द्रशेखर): नीचे लिखे विश्वविद्यालयों / कालेजों में आयुर्वदिक तथा यूनानी चिकित्सा की शिक्षा दी जाती है :

आन्ध्र

1. College of Integrated Medicine (मद्रास और आन्ध्र के लिये सम्मिलित), आन्ध्र ।

२. गवर्नमेंट आयुर्वदिक कालेज हैदराबाद ।

३. निजामिया तिब्बी कालेज हैदराबाद ।

४. श्री वेंकटेश्वारा आयुर्वेदिक कलाशाला, विजयवाड़ा ।

५. श्री राम मोहन आयुर्वदिक कालेज, गन्तूर ।

आसाम

६. आयुर्वेदिक कालेज, गोहाटी ।

बिहार

७. गवर्नमेंट आयुर्वेदिक कालेज, पटना ।

८. एस० एन० वाई० आयुर्वेदिक कालेज, भागलपुर ।

९. अयोध्या शिव कुमारी आयुर्वदिक कालेज, वेगुसराय,मुंगेर ।

१०. शिव गंगा आयुर्वेदिक महाविद्यालय, मधवनी, दरभंगा ।

११. गवर्नमेंट तिब्बी कालेज, पटना ।

मध्य प्रदेश

१२. गवर्नमेंट कालेज, रायपुर ।

१३. गवर्नमेंट कालेज, ग्वालियर ।

पंजाब

१४. गवर्नमेंट आयुर्वेदिक कालेज, पंजाब, पटियाला ।

१५. दयानन्द आयुर्वेदिक कालेज जालन्धर ।

उड़ीसा

१६. सदाशिव संस्कृत कालेज, पुरी ।

१७. विद्याभूषण संस्कृत कालेज, बोलंगीर ।

१८. पारल कीमेदी संस्कृत कालेज,

केरल

१९. आयुर्वेदिक कालेज, त्रिवेंद्रम ।

२०. संस्कृत कालेज, थीपुनीथुराए ।

२१. माधव आयुर्वेदिक कालेज, इरनेकुलम ।

२२. केरालिया आयुवदिक, समाजम, शोरानुर ।

२३. आर्य वैद्य पाटशाला कोट्यकल ।

२४. माधव मेमोरियल आयुर्वेद कालेज, कन्नमोर ।

पश्चिम बंगाल

२५. जामिनीभूषण अष्टांग आयुर्वेद विद्यालय, १७०, राजा दिनेन्द्र स्ट्रीट्र, कलकत्ता ।

२६. श्यामदास वैद्यशास्त्र पीठ परिषद्, २९४/३/१ अपर सरकुलर रोड, कलकत्ता ।

२७. विश्वनाथ आयुर्वेद महाविद्यालय, ९४, ग्रे स्ट्रीट, कलकत्ता ।

मैसूर

२८. गवर्नमेंट कालेज आफ इंडियन मेडिसन, मैसूर ।

२९. तारानाथ आयुर्वेद विद्यापीठ, बैल्लारी ।

राजस्थान

३०. आयुर्वेदिक कालेज, जयपुर। (गवर्नमेंट)

३१. आयुर्वेदिक कालेज, उदयपुर । (गवर्नमेंट)

३२. परशुरामपुरिया आयुर्वेदिक कालेज, सिकार ।

३३. सनातन धर्म आयुर्वेदिक कालेज, बीकानेर ।

३४. तिब्बिया कालेज, जयपुर ।

उत्तर प्रदेश

३५. आयुर्वेदिक कालेज, बनारस हिन्दू यूनिवर्सिटी, बनारस ।

३६. आयुर्वेदिक कालेज, देहरादून ।

३७. स्टेट आयुर्वेद कालेज, लखनऊ ।

३८. ललित हरि आयुवदिक कालेज, पीलीभीत ।

३९. गुरुकुल आयुर्वेदिक कालेज, कांगड़ी, हरिद्वार ।

४०. ऋषिकुल आयुर्वेदिक कालेज, कांगड़ी, हरिद्वार ।

४१. झांसी आयुर्वेदिक कालेज, झांसी ।

४२. बुंदेलखण्ड आयुर्वेदिक कालेज, झांसी ।

४३. तिब्बिया कालेज, मुसलिम यूनिवर्सिटी, अलीगढ़ ।

४४. यूनानी मेडिकल कालेज, इलाहाबाद ।

४५. तकमिल-उत्त-तिब कालेज, लखनऊ ।

४६. भारत तिब्बिया कालेज, सहारनपुर ।

बम्बई

४७. पुनर्वसु आयुर्वेद महाविद्यालय, पूना ।

४८. सुधा आयुर्वेदिक विद्यालय, सिओन, बम्बई ।

४९. नागपुर यूनिवर्सिटी, नागपुर ।

५०. पोस्ट ग्रेजुएट आयुर्वेद शिक्षा केन्द्र, जामनगर ।

५१. आर० ए० पोद्दार, मेडिकल कालेज,

५२. आयुर्वेद महाविद्यालय, अहमदनगर ।

५३. आर्य-आंग्ल वैदिक विद्यालय, सातारा ।

५४. ओ० एच० नाजर महाविद्यालय, सूरत ।

५५. जोराभाई शंकर भाई महागुजरात आयुर्वेदिक मेडिकल कालेज, नदियाद ।

५६. अष्टांग आयुर्वेद महाविद्यालय, पूना ।

५७. करनाटक आयुबद विद्यालय, बेलगांव ।

५८. शुद्ध आयुर्वेद विद्यालय, हुबली ।

५९. शुद्ध आयुर्वेद विद्यालय, नासिक ।

६०. शुद्ध आयुर्वेद विद्यालय, बीजापुर ।

६१. शुद्ध आयुर्वेद विद्यालय, हथिपोल, बड़ौदा ।

दिल्ली

६२. आयर्वेदिक व यूनानी तिब्बिया कालेज, दिल्ली ।

६३. जामिया तिब्बिया कालेज, दिल्ली ।

६४. बनवारी लाल आयुर्वेद विद्यालय, दिल्ली ।

सहकारी चीनी मिलें

९१८. **श्री ह० रा० नचावी** : क्या **खाद्य और कृषि** मंत्री यह बताने की कृपा करेंगे कि राजस्थान में चीनी की मिल स्थापित करने के लिये कितनी सहकारी समितियों से आवेदन प्राप्त हुये हैं और कितने लाइसेंस दिये गये हैं ?

खाद्य मंत्री (डा० पं० श० देशमुख): केवल एक आवेदन प्राप्त हुआ है । अभी तक कोई लाइसेंस नहीं दिया गया है ।

Fertilizers

919. Shri Bahadur Singh : Will the Minister of **Food and Agriculture** be pleased to state:

(a) the amount of nitrogenous fertilizers imported at present;

(b) the difference of price per ton between the imported nitrogenous fertilizers and that produced in the country;

(c) what are the countries from which India imports these fertilizers;

(d) whether the per ton price from every country India imports is uniform or it differs from country to country; and

(e) the countries from which the import is at the highest price and at the lowest price ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) The following quantities are being imported in 1956 :

	Tons.
Sulphate of ammonia .	2,00,000
Urea	23,900
Ammonium Sulphate Nitrate	21,600

(b)

Average price of imported fertilizer C. & F.		Average price of Indian material Ex-factory.
	Rs.	Rs.
Sulphate of ammonia	305	275
Urea . . .	620	Not being produced in India at present.
Ammonium Sulphate Nitrate .	407	

(c) U.S.A., Italy, East Germany and West Germany.

(d) The C. & F. price differs depending mainly upon the variations in the ocean freight.

(e) In the case of ammonium sulphate, C. & F. price is the highest in the case of supplies from U.S.A. and lowest in the case of supplies from Italy although the f. o. b. price is the cheapest in U.S.A.

Urea and Ammonium Sulphate Nitrate were purchased only from Italy and West Germany respectively.

Town and Regional Planning

920. Shri Ram Krishna : Will the Minister of **Planning** be pleased to refer to the reply given to Unstarred Question No 84 on the 20th July, 1956 and state:

(a) whether the scheme for development of town and regional planning during the Second Five Year Plan has been finalised; and

(b) if so, the details thereof ?

The Deputy Minister of Planning (Shri S. N. Mishra) : (a) A scheme for the survey of the Damodar Valley Region has recently been approved by the Ministry of Finance and a sum of Rs. one lakh has been sanctioned for the purpose during the current year.

(b) The whole scheme is estimated to cost Rs. 8·7 lakhs of which Rs. 2 lakhs will be contributed by the Damodar Valley Corporation and the balance will be met by the Planning Commission. The survey is envisaged to extend over a period of 3 years.

Family Planning

921. { Shri D. C. Sharma : Shri Debendra Nath Sarma :

Will the Minister of **Health** be pleased to state:

(a) whether any detailed scheme of Family Planning has been drawn up for the whole of the country for the year 1956-57; and

(b) if so, the money allotted for the scheme State-wise ?

The Deputy Minister of Health (Shrimati Chandrasekhar) : (a) Yes.

(b) Rs. 30 lakhs have been provided for the year 1956-57 for the scheme but State-wise allotments have not yet been made. Grants are sanctioned to States according to the number of Family Planing Clinics set up by them.

Landless Workers in Punjab

922. Shri D. C. Sharma : Will the Minister of **Food and Agriculture** be pleased to state the amount of grants and loans sanctioned to the State of Punjab for the purpose of resettling landless workers for the year 1956-57 ?

The Minister of Agriculture (Dr. P. S. Deshmukh): A grant of Rs. 1,30,000 and a loan of Rs. 2,25,000 have been sanctioned.

Cattle and Dairy Development

923. Shri D. C. Sharma : Will the Minister of **Food and Agriculture** be pleased to state the central assistance, if any, given during 1956-57 to the Punjab State for the improvement of cattle or for dairy development ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : Cattle development schemes involving Rs. 1,93,920 as central subsidy and Rs. 9750 as loan have been sanctioned during 1956-57. The I.C.A.R. have, in addition, sanctioned Schemes costing Rs. 3,02,269 for research on cattle problems. Proposals for Dairy Development have not so far been received from the State Government.

First Plan Allocation to Punjab

924. { Shri D. C. Sharma : Sardar Iqbal Singh : Sardar Akarpuri :

Will the Minister of **Planning** be pleased to lay on the Table of the Sabha a statement showing the amounts of grants and loans allocated to Punjab under the First Five Year Plan under different heads and the amounts actualy, utilised upto the 31st March, 1956 ?

The Deputy Minister of Planning (Shri S. N. Mishra) : The required information is being obtained and will be placed on the Table of the House, when available.

National Extension Service Programme

925. Shri D. C. Sharma : Will the Minister of **Community Development** be pleased to state:

(a) whether it is a fact that under the Second Five Year Plan the Local Administrations in the country are being made responsible for the execution of National Extension Service Programme; and

(b) if so, what steps are proposed to be taken for successful and effective implementation of the scheme ?

The Minister of Community Development (Shri S. K. Dey) : (a) Yes, Sir. A beginning has been made with Panchayats.

(b) The following steps have been taken,

(i) The role of Panchayats and other local self-governing institution in rural development has been stressed with the State Governments.

(ii) Arrangements are being made for giving orientation in work of Development to Panchayat personnel.

(iii) Panchayats are now being represented in all Block Advisory Committees.

(iv) It has been agreed that Panchayats should be authorised to take up development work (planning as well as execution) up to a limit of Rs. 2,000/- in respect of items admissible under grants-in-aid.

(v) A provision of Rs. 25,000/- per year per block to be spent wholly through the agency of Panchayats and other local bodies, has also been made in the post-intensive phase of Community Development Blocks.

(vi) A Joint Secretary has been appointed in the Ministry of Health exclusively to deal with Local Self Government matters, specially Panchayats.

Passenger Guides

926. Shri Jhulan Sinha : Will the Minster of **Railways** be pleased to state :

(a) whether Government is satisfied that full use of the talent of the graduates of the Kashi Vidyapith and other national universities is being made in the work assigned to them as passenger guides on the various railways; and

(b) whether these graduates have represented their case for fuller use of their time and energy in their sphere of work.

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, within the duties assigned to them.

(b) No.

Water Supply and Drainage Schemes in Rajasthan

927. { Shri Karni Singhji Shri P. L. Barupal :

Will the Minister of **Health** be pleased to state :

(a) the amount of loans offered to Rajasthan for urban water supply and drainage schemes during the years 1952-53, 1953-54 and 1954-55; and

(b) the names of schemes for which these loans were sanctioned and the amount utilized during these years ?

The Deputy Minister of Health (Shrimati Chandrasekhar) : (a) and (b). The National Water Supply and Sanitation Programme was only started in 1954-55. The question of giving

loans to Rajasthan for Urban Water Supply and drainage schemes during the years 1952-53 and 1953-54 does not therefore arise. Neither was any loan given to Rajasthan during 1954-55.

N.E.S. Block at Ozkavar

928. Shri Velayudhan : Will the Minister of **Community Development** be pleased to state:

(a) the total amount spent so far for the N.E.S. Block at Ozkavar in Kerala State ; and

(b) the items over which money was spent?

The Minister of Community Development (Shri S. K. Dey) : (a) Rs. 2·44 lakhs upto September, 1956.

(b) Personnel, Animal Husbandry, Agricultural Extension, Health, Rural Sanitation, Social Education, Communications, Irrigation and Rural Arts, Crafts and Industries.

N.E.S. Block-Cum-Community Project at Neyyattinkara

929. Shri Velayudhan : Will the Minister of **Community Development** be pleased to state:

(a) the total amount spent hitherto fore the N.E.S. Block-*cum*-Community Project at Neyyattinkara in Kerala State, including the salaries of Officers etc.;

(b) the number of officers and staff members working there;

(c) the number of vehicles used in the Block;

(d) the various types of social uplift work done there;

(e) how many new houses for villagers were constructed; and

(f) how much money has been given as loan and for what purposes?

The Minister of Community Development (Shri S. K. Dey) : (a) Rs. 42·5 lakhs upto 31st October, 1956.

(b) Project Executive Officer	1
Block Development Officers	2
Assistant Engineer	1
Supervisors (P.W.D.)	3
Agricultural Officers	3
Social Education Organisers	5
Cooperative Inspectors	2
Veterinary Officer	1
Dry Cattle Farm Manager	1
Stockmen	3
Gram Sevaks	30
Gram Sevikas	5

(c) 6.

(d) Organisation of Women's Welfare, Centres, Community Recreation Centres, Young Men's Clubs, Sports Clubs, Young Farmers Clubs, Adult Literacy Centres, Rural Reconstruction Centres, Cultural Centres and Social Service Camps and Squads etc. These are in addition to the activities taken up under the programme of 'Rural Health & Sanitation' *viz.* Provision of Medical Aid, Construction of new wells and sanitization of old wells, provision of village drainage, pavemnt of village streets, construction of sanitary latrines & introduction of smokeless Chulhas etc.

(e) 80.

(f) Industrial loans Rs. 1·01 lakhs.
Agricultural loans Rs. 3·57 lakhs.

Railway Passenger Guides

930. Shri Bheeka Bhai : Will the Minister of **Railways** be pleased to state:

(a) the total number of railway passenger guides appointed so far on various railways;

(b) the number of lady passenger guides; and

(c) the nature of their duties ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) 220.

(b) 52

(c) The main duty of a Passenger Guide is to render assistance to passengers generally and particularly to III Class passengers, so as to ensure that the passengers get the requisite comfort and amenity in station premises and in trains.

Pan Cultivation

931. Shri Shivananjappa : Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that schemes relating to *Pan* cultivation were examined by the Indian Council of Agricultural Research Horticultural Committee in New Delhi on 25th October, 1956;

(b) if so, the States where *Pan* cultivation is going on at present;

(c) the total acreage of this cultivation at present; and

(d) the features of improvement schemes of this cultivation, if any ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) Yes, schemes for research *pan* cultivation received from U.P., Madras and Madhya Pradesh were considered by the Horticulture committee in October, 1956.

(b) *Pan* is grown in most of the States in India.

(c) No statistical data are available.

(d) The main items of work in the schemes received from the various States are to evolve better varieties of pan and to find out effective control measures for *pan* diseases.

Foodgrains Shops in Kerala

932. Shri Velayudhan : Will the Minister of **Food and Agriculture** be pleased to state:

(a) the number of wholesale and retail shops for the sale of foodgrains opened so far in Kerala State; and

(b) the number of food godowns in the State ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) Wholesale Shops . . . 193

Retail Shops . . . 2,938

(b) 41 of which 19 are Central Government godowns, and the rest are State Government godowns.

Cold Storage Plant in Kerala State

933. Shri A. K. Gopalan : Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether there is any scheme to establish a Cold Storage Plant in Kerala State;

(b) if so, the location of the plant; and

(c) when the plant will be started and whether it will be in private or public sector ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) Yes. Six plants are proposed to be erected.

(b) At Vizhinjom, Kayamkulam, Ernakulam, Kottayam, Trichur and Quilon.

(c) The plants at Vizhinjom, Kayamkulam Ernakulam and Quilon will be started in 1956-57, that at Kottayam in 1958-59 and the one at Trichur in 1959-60. All the Plants will be in the public sector.

Lighthouse-assembly for Perotan Island

934. Shri Gadilingana Gowd : Will the Minister of **Transport** be pleased to state:

(a) whether it is a fact that a lighthouse assembly for the island of Perotan in Bombay has been manufactured by a British Firm;

(b) if so, the total cost thereof; and

(c) the main features of the lighthouse-assembly ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Yes. The equipment has been manufactured by Messrs. Stone Chance Ltd., Crowley, Sussex, U.K. under an order placed by the Director General, India Store Department, London.

(b) Rs. 2,12,000/-.

(c) The main features of the equipment are :

(1) Size of Optic—3rd order large 500 m/m focal length.

(2) Type of Pedestal—Mercury Float.

(3) Illuminant—55 m/m petroleum vapour autoform mantle burner.

(4) Optic Rotation—Weight driven clockwork mechanism.

(5) Lantern—8'—9' 3/4" dia.

(6) Optical Performance—(i) Stationary beam intensity 8,83,000 candelas.

(ii) Duration of flash 0·35 of a sec.

(iii) Effective or apparent beam intensity 4,95,000 candelas.

(iv) Range of visibility 16 miles with an atmospheric transmission factor of 0·6.

Narasaraopet Station

935. Shri C. R. Chowdary: Will the Minister of **Railways** be pleased to state whether fans will be provided at Narasaopet Station in the rooms where the station staff works and on the platform ?

The Deputy Minister of Railways and Transport (Shri Alagesan): There are as yet no proposals to provide fans in Narasaraopet station.

Entertainment Amenities in Nagarjunasagar Project Areas

936. Shri C. R. Chowdhry: Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether any entertainment amenities are provided for workers off duty, at the Nagarjunasagar dam site and work areas of this project;

(b) if not, the reasons therefor; and

(c) how far the Bharat Sewak Samaj work is encouraged by the Nagarjunasagar Project Board and if so, with what results?

The Deputy Minister of Planning (Shri S. N. Mishra) : (a) and (b). The question of providing some entertainment amenities like a Cinema Hall, Radio and Recorded music etc. is receiving attention of the Project authorities.

(c) At present, earthwork costing about Rs. 20 lakhs is proposed to be entrusted to Bharat Sewak Samaj. A portion of this work, costing Rs. 11.3 lakhs on the left Bank Canal has already been allotted to them and started.

The following facilities would be provided to the Bharat Sewak Samaj:

(1) Water supply, sanitation and medical arrangements would be made.

(2) Advances would be paid by the Project authorities upto 25% of the season's work.

(3) No security or earnest money would be taken.

(4) The bulk of the advances would be repaid at the end of the working season.

Fair Price Shops in Nagarjunasagar Project Areas

937. Shri C. R. Chowdary: Will the Minister of **Irrigation and Power** be pleased to state whether the authorities have taken steps to open fair price shops in view of spiral rise in the price of foodstuffs, in the area thereby ensuring unfailing supply at fair price of food-stuffs etc. to the workers at the Nagarjunasagar project areas?

The Deputy Minister of Planning (Shri S. N. Mishra): Yes: at the instance of the Nagarjunasagar Control Board the Collector of Nalgonda is taking steps to open fair price shops in the project area.

Development Commissioners' Conference

938. { Thakur Jugal Kishore Sinha: / Shri Deogam: / Shri Kamath:

Will the Minister of **Community Development** be pleased to refer to the reply given to Unstarred Question No. 1332 on the 5th September, 1956 and state:

(a) which of the recommendations of Development Commissioners' Conference have so far been implemented; and

(b) which of the recommendations have not yet been implemented so far; and

(c) if so, the reasons therefor?

The Minister of Community Development (Shri S. K. Dey): (a) to (c). Recommendations of the last Development Commissioners' Conference relating to the State Governments are under implementation in the States. Compliance reports have been called from the States. So far, only two States have sent their reports. All the recommendations of the last Development Commissioners' Conference relating to the Central Government with the exception of five regarding (i) training of instructors in Khadi work, (ii) programme for tribal areas, (iii) examination of the teaching methods and techniques of training, (iv) refresher courses for V.L.Ws etc. and (v) revision of the records for village level workers, have been implemented. Action for the implementation of recommendations regarding the above five items is in progress.

Resettlement of Landless Workers in Bihar

939. Shri M. Islamuddin: Will the Minister of **Food and Agriculture** be pleased to refer to the reply given to Starred Question No. 1442 on the 25th August, 1956 and state:

(a) whether the scheme for resettling landless workers in Bihar has since been received by the Central Government; and

(b) the amount of grants and loans sanctioned to the State of Bihar for the purpose during 1956-57?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) No scheme has yet been received from Bihar Government. A request for financial assistance of Rs. 1 crore was received from the Bihar Bhoodan Committee for resettlement of landless workers on one lakh acres of bhoodan lands.

(b) The question is under consideration.

Renaming of "Audh-Tirhut Mail"

940. Shri M. Islamuddin: Will the Minister of **Railways** be pleased to state whether Government purpose to designate the direct train service between Kanpur and Siliguri, recently introduced, as the "Darjeeling Mail" instead of "Audh-Tirhut Mail"?

The Deputy Minister of Railways and Transport (Shri Alagesan) : No.

New Express Train between Allahabad and Siliguri

941. Shri M. Islamuddin: Will the Minister of **Railways** be pleased to state:

(a) whether Government propose to introduce a new express train service between Allahabad and Siliguri for the convenience of passengers of Allahabad, Banaras, Gazipur and Chapra and designate it as "Darjeeling Express"; and

(b) if so, the details thereof?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No.

(b) Does not arise.

Railway Employees Working Hours

942. Shri Velayudhan: Will the Minister of **Railways** be pleased to state:

(a) whether any fair job analysis was conducted for the categories of Goods, Booking and Parcel Clerks;

(b) whether it is a fact that these categories of staff are still working under heavy pressure and volume of work and they are working upon 10 hours instead of 8½ hours; and

(c) whether it is also a fact that no lunch time interval is given to these employees and if not, the reason therefor?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) Generally the staff work for 8 to 8½ hours or 12 hours according to classification as 'Continuous' or 'Essentially Intermittent', respectively.

(c) No lunch time interval is provided in the rosters, which are made in conformity with the Hours of Employment Regulations.

Goods, Booking and Parcel Clerks in Railways

943. Shri Velayudhan : Will the Minister of **Railways** be pleased to state:

(a) whether a large number of temporary and permanent posts lie vacant in the categories of Goods, Booking and Parcel Clerks; and

(b) whether it is a fact that leave reserve staff is utilised against these vacancies with the result that the employees are denied leave due to them?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No.

(b) Leave Reserves are occasionally utilised in working posts but leave is not normally denied to staff on this score.

Holidays for Railway Staff

944. Shri Velayudhan: Will the Minister of **Railways** be pleased to state whether it is a fact that the Goods, Booking and Parcel Clerks are not given Gazetted Holidays or any compensation in lieu thereof?

The Deputy Minister of Railways and Transport (Shri Alagesan): Yes.

Passenger Amenities on S.E. Railway

945. Shri Sanganna: Will the Minister of **Railways** be pleased to state:

(a) whether Government have made any provisions for improvements at the Stations on the South Eastern Railway during the Second Five Year Plan in the matter of amenities such as provision of stalls, platform benches, sanitized urinals and latrines; and

(b) if so, to what extent?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). The South Eastern Railway has been allotted a total sum of Rs. 2·02 crores for expenditure during the Second Five Year Plan Period on Passenger Amenities on the Railway, such as, provision of stalls, platform benches, sanitized urinals and latrines, etc. The individual works will be sanctioned in consultation with the Passengers' Amenities Committee according to the relative urgency of the requirements of each station.

Lighting of Stations in Malabar

946. Shri A. K. Gopalan: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that complaints of insufficient power for lighting at main railway Stations in Malabar (Kerala State) have been received by Government; and

(b) if so, action taken on the complaints?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, a few complaints have been received.

(b) In each case, necessary action has been taken to improve lighting.

Port at Ezhimalai

947. Shri A. K. Gopalan: Will the Minister of **Transport** be pleased to state:

(a) whether Government are aware of the existence of a natural harbour a Ezhimalai beyond Cannanore in Malabar District of Kerala State; and

(b) if so, whether Government propose to develop this port during the Second Plan period or thereafter?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). The development of minor ports is primarily the responsibility of the State Governments. The Government of Kerala have reported that there is no natural harbour at Ezhimalai and that they have under consideration no proposal for its development.

Mail Trains Stoppage at Pantalayini

948. Shri A. K. Gopalan: Will the Minister of **Railways** be pleased to state:

(a) whether representations were received urging stoppage of mail trains at Pantalayini Railway Station on Southern Railway; and

(b) if so, decision of Government in the matter?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) There is no traffic justification for providing a halt of Express trains at this station.

Medical Personnel in Railways

949. Shri Sadhan Gupta: Will the Minister of **Railways** be pleased to state:

(a) whether the age of retirement of medical personnel in Railways will be extended from 55 years to 60 years; and

(b) if so, when?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No.

(b) Does not arise.

Drugs Act

950. Shrimati Jayashri: Will the Minister of **Health** be pleased to state whether there is any proposal from any State for amending the Drugs Act, 1940?

The Deputy Minister of Health (Shrimati Chandrasekhar): Proposals for amendment of the Act have been received from the Governments of Madras and Bombay as indicated below:—

Bombay:

The State Government have suggested that Section 22 of the Drugs Act, 1940 may be amended for empowering the Drugs Inspectors to seize records, cartons, blocks etc. and to seal the premises where there is reason to believe that manufacture of spurious drugs etc. is carried out.

Madras:

(1) The State Government have suggested that Section 31 of the Drugs Act, 1940, should be amended for providing for confiscation of drugs, in case they are established to be sub-standard, irrespective of the fact whether the dealer who has stocked the drug is punished or acquitted.

(2) The State Government have proposed that the certificate of the Government Analysts of the States may *not* be superceded by the certificate issued by the Director, Central Drugs Laboratory, but may be taken up as evidence on the defence side and that the correctness of the certificates could be considered by the Court on equal basis without invidious distinction to enable a decision being taken on the case on its merit. The proposal involves amendment of Section 25(4) of the Drugs Act, 1940.

Railway Catering

951. Shri Sanganna: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the rate of licence fee for running restaurants and tea stalls is exhorbitant at the Stations on the Waltair-Raipur Railways line in the South Eastern Railway zone;

(b) if so, the criterion adopted for fixing the licence fee;

(c) the reasons for non-existence of a restaurant or tea stall at the important station like Seethanagaram; and

(d) whether any demand for it has been received by Government?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No.

(b) The licence fees have been fixed, taking into account generally the importance of the station, the density of traffic and the number of trains halting at the station.

(c) There is no justification for a Restaurant at Seethanagaram; none of the 2 Up and 2 Down trains serving Seethanagaram arrive there at meal-time.

There is a Tea-Stall at Seethanagaram, which is, however, vacant since April 1956 as a suitable contractor has not been forthcoming to run it, despite applications having been invited on two occasions.

Applications have again been invited for the third time.

(d) No.

N.E.S. Block at Gudari (Orissa)

952. Shri Sanganna: Will the Minister of **Community Development** be pleased to state:

(a) whether the work for the National Extension Service Block at Gudari in the Koraput District (Orissa) has been stopped on account of the proposed Vamsadhara River project;

(b) if so, whether there is any proposal to transfer it somewhere in the District; and

(c) the location of new place?

The Minister of Community Development (Shri S. K. Dey): (a) No.

(b) and (c). Do not arise.

Sonepur Fair

953. Thakur Jugal Kishore Sinha: Will the Minister of **Railways** be pleased to state:

(a) the passenger traffic of Sonepur Fair of this year and the previous two years on North-Eastern Railway; and

(b) the general arrangement made on behalf of the Railways during this year and last two years with special reference to the passenger amenities?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). A statement is laid on the Table of the House [*See* Appendix IV, annexure No. 88].

Late Starting of Trains at Katihar Junction

954. Shri M. Islamuddin: Will the Minister of **Railways** be pleased to state:

(a) whether some of the trains originating from Katihar Junction start late by hours; and

(b) if so, the action being taken by Government against such irregularity in running trains?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) Vigorous drives have been instituted to improve the punctuality performance of passenger trains concerned. A senior scale officer is being posted at Katihar Station with a view to improving all passenger amenities, including the punctual running of trains.

बीकानेर स्टेशन पर यात्री-सुविधायें

९५५. **श्री प० ला० बारूपाल** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बीकानेर रेलवे स्टेशन के प्लेटफार्मों को बढ़ाने और उन पर छत बनाने तथा प्रतीक्षालयों और टांगा स्टैन्ड के निर्माण के लिये भूमि अर्जित करने के लिये कोई योजना है; और

(ख) यदि हां, तो उसके कब तक पूर्ण हो जाने की आशा है?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) बीकानेर स्टेशन के प्लेटफार्म के विस्तार की कोई योजना नहीं है, लेकिन १९५६-५७ में उस पर छत लगाने का कार्यक्रम बनाया गया है। म्युनिस्पल बोर्ड को लिखा गया है कि स्टेशन के सामने की जमीन तांगा व मोटर अड्डा बनाने के लिये दे दे, लेकिन अभी तक उन्होंने इसकी मंजूरी नहीं दी है।

(ख) आशा है ३१ मार्च १९५८ तक प्लेटफार्म पर छत की व्यवस्था हो जायगी।

भटिन्डा और बीकानेर रेलवे लाइन

९५६. **श्री प० ला० बारूपाल** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भटिन्डा और बीकानेर के बीच बड़ी लाइन बिछाने की कोई योजना है; और

(ख) यदि हां, तो वह कब तक क्रियान्वित हो जायगी ?

रेलवे तथा पारिवहन उपमंत्री (श्री अलगेशन) : (क) जी नहीं।

(ख) सवाल नहीं उठता।

बीकानेर शहर में रेल के फाटक

९५७. **श्री प० ला० बारूपाल** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) बीकानेर शहर में रेल के कितने फाटक हैं ;

(ख) बीकानेर और लालगढ़ के बीच प्रतिदिन जान वाली यात्री रेलगाड़ियों तथा मालगाड़ियों, शन्टिंग इंजनों, मजदूरों की रेलगाड़ियों, इजनों और ट्रालियों की औसत संख्या कितनी है और रेलवे बुकिंग गेट से हो कर जान वाला रास्ता एक दिन म कितनी बार बन्द होता है;

(ग) बीकानेर और लालगढ़ के बीच यात्रा करन के लिये रेलगाड़ियों को समान्यत: कितना समय लगता है ;

(घ) क्या यह सच है कि इन फाटकों के सामान्यतया पन्द्रह से लेकर बीस मिनट और कई बार लगातार आधे घंटे तक बन्द रहने के फलस्वरूप सड़कें बन्द रहती हैं और लोगों को तकलीफ होती है और इसके कारण प्रतिदिन हजारों नागरिक घन्टों का नुकसान होता है ;

(ङ) प्रतिदिन सड़क कुल कितने घंटे बन्द रहती हैं ;

(च) क्या यह सच है कि रेलवे बुकिंग गेट के बन्द रहन के कारण लोग समय रहते स्टेशन नहीं पाते और वांछित रेलगाड़ी से यात्रा नहीं कर पाते ; और

(छ) यदि उपरोक्त इनों का उतर स्वीकारात्मक हो, तो सरकार इस सम्बन्ध में क्या कार्यवाही करना चाहती है ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) ५ समपार (level crossing) जिनमें से ३ पर हैं और २ पर नहीं।

(ख)

सवारी गाड़ियां	६
माल गाड़ियां	३
शंटिंग इंजन	२४
मजदूरों की रेलगाड़ियां	२
ट्रालियां	२

दिन भर में औसतन ३७ बार फाटक बन्द किया जाता है।

(ग) गाड़ियों को बीकानेर और लालगढ़ के बीच आम तौर पर दस-पन्द्रह मिनट लगते हैं ।

(घ) चोकीदार वाले समपारों के फाटक गाड़ी गुजरने के समय ५ से १० तक बन्द रखे जाते हैं ।

(ङ) दिन भर में लगभग ५ घंटे सड़कें बन्द रहती हैं।

(च) जनता के स्टेशन पहुंचने में कोई रुकावट नहीं होती फाटक बन्द होने पर वे हास्पिटल रोड के लम्बे रास्ते से हो कर या समपार की चकरी (turnstiles) से हो कर फाटक को पैदल पार करके जा सकते हैं।

(छ) बीकानेर और लालगढ़ क बीच रेलवे लाइन का रास्ता बदलने और बीकानेर स्टेशन को दूसरी जगह हटाने के सम्बन्ध में विचार किया जा रहा है।

मेरता रोड स्टेशन का मन्दिर

९५८. **श्री प० ला० बारूपाल:** क्या **रलवे** मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि ६० वर्ष पूर्व हरिजनों द्वारा मेरता रोड स्टेशन के निकट बनाये गये श्री रामदेव जी के मन्दिर की चहारदीवारी जोधपुर के डिवीजनल सुपरिन्टन्डेंट के कार्यालय के आदेश से बिना पूर्व-सूचना के गिरा दी गयी है ;

(ख) क्या स्थानीय हरिजनों ने इसके विरोध में अभ्यावेदन के लिये कुछ तार भेजे हैं; और

(ग) यदि हां, तो उन पर क्या कार्यवाही की जा रही है ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) जी नहीं।

(ख) और (ग) जी हां । इस मामले की जांच की गयी थी। मेरता रोड में रेलवे की जमीन पर एक मंदिर है जो ३० साल पहले बनाया गया था। सितम्बर १९५६ में इस मंदिर का विस्तार करने के उद्देश्य से कुछ स्थानीय लोगों ने एक पक्का कमरा बनाना शुरू किया । इस पर रेलवे ने तुरन्त कार्रवाई की और उस कमरे को उन्हीं लोगों से गिरवा दिया गया जो उसे बना रहे थे। लेकिन पुराने मंदिर पर हाथ नहीं लगाया गया। वह ज्यों का त्यों बना है ।

दिल्ली के सामुदायिक विस्तार सेवा खन्ड

९५९. **श्री नवल प्रभाकर** : क्या **सामुदायिक विकास** मंत्री यह बताने की कृपा करेंगे कि :

(क) सामुदायिक विस्तार सेवा खण्ड विभाग ने दिल्ली के कितने ग्रामों में गत ४ वर्षों में पक्की गलियां बनवाई हैं; और

(ख) इस सम्बन्ध में सहायता के रूप म दी गयी राशि का ब्योरा क्या है ?

सामुदायिक विकास मंत्री (श्री सु० कु० डे): (क) १०२ गावों में पक्की गलियां बनाई गई थीं। गलियों की पूरी पूरी तादाद मालूम नहीं।

(ख) कुल इमदाद की रक़म १,९५,८९८ रु० हैं जिसकी तफ़सील नीचे है।

वर्ष	शाहदरा ब्लाक		मेहरोली ब्लाक		कुल	
	ग्रामों की संख्या	रक़म रु०	ग्रामों की संख्या	रक़म रु०	ग्रामों की संख्या	रक़म रु०
१९५३-५४ ..	..		१	७,६००	२	१२,१००
१९५४-५५	३	९,,३५०	१	७२७	२८	७१,३५५
१९५५-५६	१०	२३,९३०	४	७,१७४	७२	१,१२,४४३
	१३	३३,२०	६	१५,५०१	१०२	१९५,८९८

नोट: १९५२–५३ में कोई रक़म नहीं दी गई।

दिल्ली में सामुदायिक भवन (चौपाल)

९६०. **श्री नवल प्रभाकर** : क्या **सामुदायिक विकास** मंत्री यह बताने की कृपा करेंगे कि :

(क) गत ४ वर्षों में दिल्ली विस्तार सेवा खण्ड के क्षेत्र में अब तक कुल कितने सामुदायिक भवन (चौपाल) बनाये गये हैं जिनके निर्माण के लिये सहायता दी गयी; और

(ख) सहायता के रूप में दी गयी राशि का ब्योरा क्या है ?

सामुदायिक विकास मंत्री (श्री सु० कु० डे) : (क) ७९.

(ख) कुल २,०१,२६२ रु० की रक़म सहायता के रूप में दी गई थी जिसकी तफ़सील नीचे दी गई है ।

वर्ष	अलिपुर ब्लाक		नजफ़गढ़ ब्लाक	
	चौपालों की संख्या	रक़म रु०	चौपालों की संख्या	रक़म रु०
१९५३–५४ . .	१	७,५००	..	..
१९५४–५५ . .	७	३०,६५२	५	१६,१७०
१९५५–५६ . .	१७	४१,९००	२४	४७,८१५
	२५	८०,१०२	२९	६३,९८५

वर्ष	अलिपुर ब्लाक		नजफ़गढ़ ब्लाक	
	ग्रामों की संख्या	रक़म रु०	ग्रामों की संख्या	रक़म रु०
१९५३–५४	१	४,५००	..	..
१९५४–५५ .	१९	४७,५६३	५	१३,७१५
१९५५–५६ . .	३४	२९,५८९	२४	५१,७५०
	५४	८१,६५२	२९	६५,४६५

वर्ष	शाहदरा ब्लाक		मेहरोली ब्लाक		कुल	
	चौपालों की संख्या	रक़म रु०	चौपालों की संख्या	रक़म रु०	चौपालों की संख्या	रक़म रु०
१९५३-५४ ..	...		..	..	१	७,५००
१९५४-५५	३	९,३५०	१	८,०००	१६	६४,१७२
१९५५-५६	१०	१४,८९५	११	२४,९३०	६२	१,२९,५९०
	१३	२४,२४५	१२	३२,९३०	७९	२,०१,२६२

नोट: १९५२–५३ में कोई खर्च नहीं किया गया था ।

Dismantled Railway Lines

961. Shri Kajrolkar: Will the Minister of **Railways** be pleased to state:

(a) the number of railway lines dismantled during the last eight years; and

(b) the reasons which led to such dismantling in each case?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No railway lines open to public traffic have been dismantled during the last 8 years.

(b) Does not arise.

Grant Road Station

962. Shri Kajrolkar: Will the Minister of **Railways** be pleased to state:

(a) whether Government are aware that the Grant Road Station of the Western Railway situated in the heart of Bombay City has bow become old and is unable to cope adequately and expeditiously with the large passenger traffic using the station;

(b) whether Government have received any complaints that great inconvenience and delay is caused to passengers on account of the narrow exits and lack of adequate waiting rooms and other facilities for passengers; and

(c) whether Government have under consideration any scheme for modernising the station?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No.

(b) No. In June 1955, there was a complaint regarding incovenience caused by not keeping open simultaneously two turn-stiles provided at the station on the down platform. This was immediately set right by making arrangements to keep both the turn-stiles open.

(c) No. The position will be examined *vis-a-vis* other stations to consider the feasibility and desirability of remodelling the stations in due course.

Mis-use of Alarm Chains on Railways

963. {Sardar Iqbal Singh: / Sardar Akarpuri:

Will the Minister of **Railways** be pleased to state the number of persons prosecuted for wrong pulling of chains on different Railways, during the currrent year so far, Zone wise?

The Deputy Minister of Raiways and Transport (Shri Alagesan):

Railway	Number of persons prosecuted for wrong pulling of alarm chain during the period January 1956 to September, 1956.
Central	57
North-Eastern	52
Northern	43
South-Eastern	71
Eastern	157
Western	24
Southern	102

Passenger Amenities

964. Shri Bheeka Bhai: Will the Minister of **Railways** be pleased to state:

(a) whether Government have received any representations to change the present European type of commodes in passenger compartments to Indian type of latrines; and

(b) if so, the action taken thereon?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) Some of the coaches are already fitted with commode-*cum*-pan type latrines. The introduction of an improved design of commode-*cum*-pan type latrines is under active consideration.

Morvi-Tankara Railway Line

965. Dr. J. N. Parekh: Will the Minister of **Railways** be pleased to state:

(a) whether any memoranda or requests have been received from the public Tankara—in Saurashtra (Western Railway) to convert and improve the existing narrow gauge line between Morvi and Tankara into metre-gauge line and extending the same upto Rajkot; and

(b) if so, the reaction of Government thereto

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) the proposal is not financially justified. There is a very keen road competition which carries most of the traffic offering.

Road Accidents

966. Shri Hem Raj: Will the Minister of **Transport** be pleased to state:

(a) whether it is a fact that a series of motor accidents have occurred on the

Hill Roads of Himachal Pradesh during 1956; and

(b) if so, the number of lives lost and number of persons injured?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, Sir.

(b) So far as the vehicles of the Himachal State Transport are concerned, the information is as follows:—

(i) Lives lost	29
(ii) Persons injured	87

Information regarding privately owned vehicles is being collected and will be placed on the Table of the Lok Sabha in due course.

Lakshmipur Halt Station

967. Shri H. N. Mukerjee: Will the Minister of **Railways** be pleased to state:

(a) whether final approval has been given to the conversion of Lakshmipur Halt, Eastern Railway, into a flag station; and

(b) if so, when construction of the said flag station is scheduled to begin?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) Provision has been made for this work in the Works Programme for 1957-58.

Railway Board

968. Shri Bheeka Bhai: Will the Minister of **Railways** be pleased to state:

(a) the total strength of class III staff in Railway Board's Office during pre-independence period; and

(b) how does it compare with that of post independence period?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) 560 (on 31-7-47).

(b) 1012 (on 30-11-56).

Bilaspur Loco and Carriage Shed

969. Shri Bheeka Bhai: Will the Minister of **Railways** be pleased to state:

(a) the number of class IV staff appointed in the Loco and Carriage Shed, Bilaspur in South-Eastern Railway during the years 1954, 1955, and 1956 so far; and

(b) the percentage of Scheduled Castes and Scheduled Tribes staff appointed amongst them?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). A statement is laid on the Table of the House. [*See* Appendix IV, annexure No. 89]

पठानकोट-अमृतसर ब्रांच लाइन

९७०. **श्री रघुनाथ सिंह** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि ३० नवम्बर, १९५६ को रात में पठानकोट अमृतसर ब्रांच लाइन की एक फिश-प्लेट हटा दी गयी थी और एक गैंगमैन के प्रयास से वहां दुर्घटना नहीं होने पाई ; और

(ख) यदि हां, तो इस मामले में क्या कार्यवाही और जांच की गयी है।

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) और (ख). २८-११-५६ की दोपहर को लगभग १ बजे—न कि ३० नवम्बर, ५६ को रात को जैसा कि सवाल में कहा गया है—निरीक्षण करते हुये चाबीवाले (Keyman) ने देखा कि उत्तर रेलवे के बटाला-कादियां सेक्शन में ७-१२-१३ मील पर फ़िश-प्लेटों का एक जोड़ा चारों फ़िशबोल्टों समेत ग़ायब है। उसने फौरन पटाखे (Detonators) रख कर और खतरे का सिगनल दिखा कर उस जगह का बचाव किया। सभी सम्बन्धित अधिकारियों को इस घटना की सूचना तुरंत दे दी गयी और बटाला के सहायक रेलपथ-निरीक्षक (Assistant Permanent Way Inspector) ४ ए० बी० क्यू० गाड़ी से वहां के लिये रवाना हुये। पटरी को ठीक करने के बाद उन्होंने २८-११-५६ को शाम के ६ बजकर १८ मिनट पर उस जगह से गाड़ी गुज़रने की इजाज़त दी। चौकसी के लिये इस क्षेत्र में एक गश्ती दस्ता (patrol) नियुक्त कर दिया गया। रेलवे पुलिस अपराधियों को खोजने और उनके

इरादे का पता लगाने के लिये जांच कर रही है।

Ranipat Railway Station

971. **Shri N. R. Muniswamy:**
Shri Ramachandra Reddi:

Will the Minister of **Railways** be pleased to state:

(a) what steps have so far been taken to bring Ranipat Railway Station on to the main line between Madras and Bangalore; and

(b) whether there was a proposal to do so as late as 1930?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The proposal was examined by the Southern Railway but was found not financially justified.

(b) The proposal has been considered from time to time since 1934.

DAILY DIGEST

[*Friday, 14th December, 1956*]

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LOK SABHA DEBATES

(Part II—Proceedings other than Questions and Answers)

LOK SABHA SECRETARIA
NEW DELHI

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LOK SABHA

Friday, 14th December, 1956

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair.*]

QUESTIONS AND ANSWERS

(*See* Part I)

12 hrs.

BUSINESS OF THE HOUSE

Shri Gadgil (Poona Central): May I raise one question? I want to know when the 2½ hour discussion about the grievances of the Insurance Corporation employees will be taken up.

Shri N. C. Chatterjee (Hooghly): You may remember that a promise was given that such a debate will take place.

Mr. Speaker: We will find out.

Shri Sadhan Gupta (Calcutta South-East): I have given notice of that among others for discussion. You know that last session....

Mr. Speaker: Let the hon. Minister be present here. He is not here now.

An Hon. Member: He is there now.

Shri Gadgil: Our anxiety is that some time must be found out for this debate before we adjourn because it is the first nationalised venture of the kind and we are anxious that nothing should be done so as to prejudice this major issue. That is the reason why many of us are anxious to have some discussion over this.

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): I am in the Chair's hands. If the Chair wants me to be present at any time, my services are at the Chair's disposal. But there is only one fact. I suppose hon. Members will speak and I shall be certainly prepared to listen to the debate. Whether I am able to contribute to the debate will depend on the circumstances.

Mr. Speaker: Hon. Members are aware that the hon. Minister of Parliamentary Affairs said that certainly some time will be provided for it in the coming week, and I will certainly put it down some day next week.

Shri T. T. Krishnamachari: It was mentioned to me just this morning whether on the 17th the time 5-30 to 7-30 would suit me—I do not know how it emanated. So far as I am concerned, any time will suit me.

Mr. Speaker: Let us keep it on Monday, but I will find out if it can be on Monday. I shall consult the hon. Minister of Parliamentary Affairs also about it.

MESSAGES FROM RAJYA SABHA

Secretary: Sir, I have to report the following messages received from the Secretary of Rajya Sabha :—

(i) "In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabaha that the Rajya Sabha, at its sitting held on the 12th December, 1956, agreed without any

[Secretary]

amendment to the Motor Vehicles (Amendment) Bill, 1956, which was passed by the Lok Sabha at its sitting held on the 29th November, 1956."

(ii) "In accordance with the provisions of rule 97 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Press Council Bill, 1956, which has been passed by the Rajya Sabha at its sitting held on the 11th December, 1956."

PRESS COUNCIL BILL

Secretary: Sir, I lay the Press Council Bill, 1956, as passed by Rajya Sabha, on the Table of the House.

PETITION *RE.* SADHUS AND SANYASIS (REGISTRATION AND LICENSING) BILL

Secretary: Sir, under rule 179 of the Rules of Procedure and Conduct of Business in Lok Sabha, I have to report that a petition as per statement laid on the Table has been received in respect of the Sadhus and Sanyasis (Registration and Licensing) Bill, 1956, which was introduced by Shri Radha Raman, M.P. in the House on the 27th July, 1956.

STATEMENT

Petition in respect of the Sadhus and Sanyasis (Registration and Licensing) Bill, 1956, which was introduced by Shri Radha Raman, M. P., in the House on the 27th July, 1956.

Petition No.	Numbe of Signatories	District or town	State
78	1	Tirunelveli District	Madras

ESTIMATES COMMITTEE

THIRTY-FOURTH REPORT

श्री बी० गी० मेहता (गोहिलवाड़) : अध्यक्ष महोदय, मैं पखिहन मंत्रालय के सम्बन्ध में प्राक्कलन समिति की चौंतीसवीं रिपोर्ट पेश करना हूं।

KERALA STATE LEGISLATURE (DELEGATION OF POWERS) BILL*

The Minister of Home Affairs (Pandit G. B. Pant): I beg to move for leave to introduce a Bill to confer on the President the power of the Legislature of the State of Kerala to make laws.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to confer on the President the power of the Legislature of the State of Kerala to make, laws."

The motion was adopted.

Pandit G. B. Pant: I introduce the Bill.

TERRIAORIAL COUNCILS BILL**

The Minister of Home Affairs (Pandit G. B. Pant): May I request you, Sir, to take up item No. 10, which relates to the inroduction of another Bill also?

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*Published in the Gazette of India Extraordinary Part II-Section 2, dated, 14th December, 1956, pp. 1113-15.

**Published in the Gazette of India Extraordinary Part II-Section 2, dated, 14th December, 1956, pp. 1120-46.

Mr. Speaker: Yes.

Pandit G. B. Pant: I beg to move for leave to introduce a Bill to provide for the establishment of Territorial Councils in certain Union territories.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the establishment of Territorial Councils in certain Union territories."

The motion was adopted.

Pandit G. B. Pant: I* introduce the Bill.

UNION DUTIES OF EXCISE (DISTRIBUTION) AMENDMENT BILL**

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): I beg to move for leave to introduce a Bill to amend the Union Duties of Excise (Distribution) Act, 1953.

If I may say so, this is not a taxation measure; it is merely intended to implement the recommendations of the Finance Commission.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to amend the Union Duties of Excise (Distribution) Act, 1953".

The motion was adopted.

Shri T. T. Krishnamachari: I ***introduce the Bill.

HINDU ADOPTIONS AND MAINTENANCE BILL—*Concld.*

Mr. Speaker: The House will now take up further consideration of the following motion moved by Shri H. V. Pataskar on the 13th December, 1956:

"That the Bill to amend and codify the law relating to adoptions and maintenance among Hindus, as passed by Rajya Sabha, be taken into consideration."

As many as 6 hours' time was allotted originally, and the time so far taken is 3 hours 45 minutes. Therefore there remains a balance of 2 hours 15 minutes. Yesterday at the request of the House, it appears the hon. Deputy-Speaker said that the time will be extended by one more hour. Therefore, we have now 3 hours 15 minutes in all. At 3-30 P.M. the Private Members' Resulations will be taken up. Therefore, we will conclude this debate by 3-30 P.M.

How long does the hon. Minister want for reply?

The Minister of Legal Affairs and Civil Aviation (Shri Pataskar): Only about 20 minutes.

Mr. Speaker: How much shall we allot for clause-by-clause consideration stage?

Shri N. C. Chatterjee (Hooghly): One hour will be quite enough.

Shri Tek Chand (Ambala—Simla): Two hours.

Mr. Speaker: There are as many as 55 amendments.

Shri N. C. Chatterjee: They are mostly duplication, Sir.

Mr. Speaker: Let us put it at 1½ hours.

Sardar Hukam Singh (Kapurthala—Bhatinda): Let it be 1½ hours, and if we can save any time out of that, that time can be utilised and Members may speak at the third reading stage.

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*Introduced with the recommendation of the President.

**Published in the Gazette of India Extraordinary Part II-Section 2, dated, 14th December, 1956, pp. 1116-19.

***Introduced with the recommendation of the President.

Mr. Speaker: We have 3 hours 15 minutes.

Shri Tek Chand: May I with your kind permission say this? Since I have given notice of many amendments, I would request that the time for the second reading may be extended as it will be conducive to more clarification of the Bill.

Mr. Speaker: We have 3 hours 15 minutes and we should conclude this Bill by 3-30 P.M. Let us have one and quarter hours for the general discussion, in addition to the time that will be allotted to the hon. Minister for reply, that is, about half an hour, and about 1½ hours for the other stages of the Bill.

Shri N. C. Chatterjee: When the announcement was made the other day that the hon. Minister, Shri Pataskar, had been appointed Minister also in charge of Civil Aviation, we thought that the Hindus would be spared any more instalments of the portions of the Hindu Code, but we are disappointed. We thought that he would be flying in the air and would take a broader vision of things.

The Minister of Railways and Transport (Shri Jagjivan Ram): He will be going at a terrific speed.

Shri N. C. Chatterjee: We thought he would not impose any more inflictions. In fact, he has surpassed the achievements of the late Dr. Ambedkar, whose death we were mourning—even he did not go to the extent of having this kind of an Adoption Bill. It is a revolution and, if I may say so, it is not really necessary at this stage. I think Pandit Thakur Das Bhargava and some other friends said yesterday that it is not opportune now. I agree with them.

I find that the hon. Minister himself in the other House, the Rajya Sabha, had said—

> "So with the passing of this Succession Act which gives the right of succession even to a daughter and relations to the limited estate of women, adoptions are not likely to be as common as they were before."

Mahamahopadhyaya Kane, one of the authorities on Hindu Dharmashastras, is the author of The History of Dharmashastra, which is looked upon as a masterpiece. I think he has pointed out certain anomalies in our law of adoption, especially in the conflicting annotations and commentaries made by Nibandhkars. There is certainly difference between the Bombay school and the Bengal school. There cannot be any adoption by the widow, and in the South they approximate more or less to the Bengal school and certainly there is difference between them and the Maharashtra school. In spite of that, there has been really not very much of uncertainty. I am again repeating my fundamental caveat that it is wrong for the secular State to single out the Hindus for this kind of measures. We honestly feel so. If you really think that the adoption of boys and girls is necessary and desirable in the interest of society at large, have a uniform civil code for all. I am again entering my protest against this kind of communal legislation. You are going against your Constitution and the Directive Principles. Though they are not justiciable as the Fundamental Rights, still you solemnly enacted them for the purpose of giving guidance to the Parliament and the State legislatures. It is not proper on the part of the Government which has been responsible for ushering in that Constitution to enact this law in defiance of the Directive Principles. They say that there shall be a uniform civil code for all the citizens of India. Have it for every body. As Mahamahopadhyaya Kane himself has said, why run after the Hindus only?

You are making an innovation of a fundamental character why have this Hindu Adoption Law at all? There has been no demand for this legislation for the adoption of girls. From the days of the Vedas and Ataireya Brahmana where you have got reference to Sunashepa's adoption by King Harischandra till today,

nobody ever heard of adoption of girls. Nobody had ever demanded this provision also. There may be isolated customs here and there.

Mr. Speaker: Under the Hindu Law, the prostitutes can adopt daughters.

Shri Raghunath Singh (Banaras Distt.—Central): The Naiks also.

Shri N. C. Chatterjee: I am thinking of the general Hindu Society.

I have got Mayne's book and also the Mulla's book and also the great work of Shri Gopal Chandra Shastri.

Mr. Speaker: Adoption of daughters was held to be dangerous.

Shri N. C. Chatterjee: It has been discouraged generally.

Pandit Thakur Das Bhargava (Gurgaon): By many High Courts, it has been held to be illegal.

Mr. Speaker: For various reasons, such adoptions will lead to improper practices.

Shri N. C. Chatterjee: That is what I am pointing out. It is neither necessary nor desirable. It will not be a step in advance; it will be a retrograde step. All that we know of this kind of adoption of girls is among the prostitutes class, it has been a blackspot in our society and the sooner it is eradicated it is better. It is very undesirable and wherever that system has been prevalent, it has been condemned by progressive society as well as by the High Courts.

I am not really taking my stand on technicality or legality. The hon. Minister himself says this while he induced this Parliament to pass the Succession Act. It has introduced a very radical change. It has to a large extent destroyed our coparcenary and has given right of succession even to a daughter. The limited estate of the woman has gone. Therefore, adoption is no longer necessary as he himself says. Except for the purpose of saying to the electorate that they have completed the last instalment of the so-called Hindu Code, I do not think there is any real justification for this kind of a measure to be introduced at this stage. There is no necessity for this. If you really think of secular India, you ought to have a codification for all citizens. Do not have any scope for the play of differing customs and differing usages. This will lead to various kinds of troubles. If the main object is uniformity, at least for the entire Hindu community, then, do not allow the continuance of conflicting customs and usages, some of which are undesirable and very primitive in character. If you allow the customs to remain, what is the good of enacting the Hindu Code or the Hindu Adoption Law?

In this clause on adoption, you will find that a certain innovation had been made—clause 7:

> "Any male Hindu who is of sound mind and is not a minor has the capacity to take a son or a daughter in adoption:
>
> Provided that if he has a wife living he shall not adopt except with the consent of his wife unless the wife has completely and finally renounced the world or has ceased to be a Hindu or has been declared by a court of competent jurisdiction to be of unsound mind....."

I am asking this Parliament to consider whether it is really desirable to have a proviso of this character. That may lead to many types of litigations, family disputes and all that.

Mr. Speaker: I am not able to follow this. Clause 8 says:

> "Any female Hindu who—(a) is of sound mind, (b) is not a minor, and (c) is not married, or if married, the marriage has been dissolved or the husband is dead or has completely and finally renounced the world or has ceased to be a Hindu or has been declared by a court of competent jurisdiction to be of unsound mind, has the capacity to take a son or daughter in adoption."

[Mr. Speaker]

That is, if the husband has become a *Sanyasi* or if he has ceased to be a Hindu, she can also take a person in adoption.

Shri Pataskar: The scheme of the Act is like this. In clause 7, which precedes clause 8, we say that a male Hindu can take a person in adoption. If he has a wife, he has to take the consent of the wife. That is, clause 7 deals with the capacity of a male Hindu to take in adoption. Having made that provision there, we go over to the capacity of the female Hindu to take in adoption. Naturally, the wife, whose husband is living, is excepted. If she is married, she is the wife of somebody and she cannot adopt unless the marriage has been dissolved. Then, she is no longer the wife. So, it is only such women, of sound mind, not minor, unmarried and if married, whose marriage had been dissolved or the husband is dead or has completely and finally renounced the world or has ceased to be a Hindu or has been declared by a court of competent jurisdiction to be of unsound mind—it is only such women who can take in adoption. So, clause 8 should be read with clause 7. Then, I am sure that without much argument my lawyer friends will be able to grasp the point.

Shri N. C. Chatterjee: We have grasped it. What the hon. Minister wants us to enact is this. If the husband is dead, a lady can adopt a boy or a girl. Then, it is all right. If he has become a *sanyasi*, embraced Islam or Christianity, then also this power is given to women. Under this law, a married lady, even when the husband is alive is entitled to adopt, provided he has embraced a non-Hindu faith.

Shri Pataskar: Sometimes, there is a family. The husband has become a convert. There is no son in the family. Such a lady wants to adopt a child. Her husband is not a Hindu. She is given that right to adopt a son.

Mr. Speaker: He may have property.

Pandit Thakur Das Bhargava: If a widow can adopt, why cannot a married woman adopt?

Shri N. C. Chatterjee: A widow can adopt and a married woman can adopt even when the husband is alive under certain conditions. But then, why impose any condition at all? What I am pointing out is this. A good deal of discussion was entered into in the other House and there is, I think, some force in that. Clause 7 of the Bill says as follows:

> "Any male Hindu who is of sound mind and not a minor has the capacity to take a son or a daughter in adoption:
>
> Provided that if he has a wife living he shall not adopt except with the consent of his wife unless the wife has completely and finally renounced the world or has ceased to be a Hindu or has been declared by a court of competent jurisdiction to be of unsound mind".

That may lead to great difficulties. I do not know what is in the mind of the framers of this clause. It may be that they are still thinking of Vasishta and what he said:

> *"Suktra sonita-sambha*
> *Putra mata-pitri-nimikttaka"*

That means, both the father and the mother are equally entitled to join in that act or adoption. They are trying to negative the very concept of adoption, and our religious concepts according to Vasishta. They want to make it in accordance with the secular scheme of things. If that is so, leave it to the husband. Of course, if the husband is taking any adoption, naturally he will consult his wife, but if you make it a condition precedent and put in a proviso like this, and then, say that it shall be dependent on the consent of the wife, certainly, there may be

difficulties created thereafter. After the son is taken in adoption, some years later, something may happen in the family. There may be disagreement between the father and the adopted son and there may be many difficulties created. The provisions are illogical.

My grievance is that the hon. Minister has not the courage of his conviction. If he wants to secularise it, let him do it properly. Clause 11 prescribes "other conditions for a valid adoption". There is a provision for giving and taking. You know, Sir, the great case of Bala Gangadhar Tilak which is reported in 42 *Indian Appeals*. There was a lot of difficulty because of *Datta Homam* and the actual giving and taking. Those who practise law know that a large amount of evidence has gone in both sides to find out whether there was an actual give and take. I remember that in one of the cases in the Calcutta High Court there were about 40 witnesses. It was a case of a Jain adoption. They were almost evenly balanced and in one case it was said that there was no give and take. Both the parties were saying that the child was not actually seated on the lap of the adopting mother. This kind of litigation means that a lot of conflicting evidence is adduced. A lot of perjury and a lot of difficulty are created unnecessarily. If you want to cut at the root of it, do it properly. All this giving and taking only comes from the big spiritual concept behind the adoption where, in order to perpetuate the family and to relieve the man from the blighting possibility of being consigned to the *Pun naraka*, Manu's injunction is being adopted and a boy is adopted in order to get the certainty of having *Pindas* and *oblations* offered after the demise of the person concerned. If you disagree on that spiritual aspect and if you are secularising it and making it mundane affair, why have this elaborate provision for giving and taking? It would be much batter to accept Pandit Thakur Das Bhargava's suggestion. Have a clear-cut provision for a registered deed and be done with it.

Clause 16 deals with "Presumption as to registered documents relating to adoptions" and says:

> "Whenever any document registered under any law for the time being in force is produced before any court purporting to record an adoption made and is signed by the person giving and the person taking the child in adoption, the court shall presume that the adoption has been made in compliance with the provisions of this Act unless and until it is disproved."

Therefore, it is a rebuttable presumption. It is not a conclusive presumption. So, there is the initial onus to be shifted, but that will lead only to the large number of witnesses called to show that the condition precedent which is prescribed in clause 11 has not been complied with. It is illogical. I am appealing for consistency in this matter. If you have the courage, do away with the spiritual and religious aspects of it. Cut out *Datta Homam*. Cut out also this giving and taking business, and make this is a completely secular provision. Do it on the other footing, namely, that there must be a registered deed in every case.

Generally, there is no adoption unless there is some profit. There is no adoption unless there is something to inherit. Nobody will be willing to come forward to do that unless there is some hope or expectation of getting some property. In such a case, a registered deed is nothing. It is also not very expensive. Make it a condition precedent that it should be done within a period of three months and be finished with it.

Therefore, my fundamental opposition is to the provision for adoption of girls. I say this is unheard of in Hindu society and repugnant to its basic notions. However much you may enact such pieces of legislation as the Hindu Marriage Act and other

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laws, you have got to recognise that after the marriage the *gotra* will be transferred. The girl is taken into another family. If you take the girl who will be going into another family, she will have the right to inherit, and therefore, there will be transference of that daughter from the adopting family to the other family. You are bringing in a boy who is being adopted for the perpetuation of the family in which the adoption is made.

Pandit Thakur Das Bhargava: The *gotra* is changed by marriage also.

Shri N. C. Chatterjee: Yes, Therefore, the daughter who is adopted will go out to another family and become an integral part of the spiritual, logical, canonical and every other aspect of another family.

Then there was a point made by Shri Tek Chand. That is with regard to the question of disparity in age. I am asking this Parliament to consider it seriously. He said that if a girl of 15 was allowed to be adopted by a man who is 21 years senior to her, that is, if a man of 36 years adopts a girl of 15, 16 or 18, it is a very serious thing, and very undesirable consequences may follow. Permission to a male to adopt a daughter ought not to be granted under any circumstances, and in any event. If you want to have disparity in age, then the disparity should be made more effective. However much we may legislate, there may be abuses and there are bound to be abuses in such a case. Therefore, if you want to accept our advice, cut away this provision with regard to the adoption of girls. It would be well and good. But, if you are determined to submit yourself to the appeals of some ladies and if you want to have such a provision to show to the world that you are progressive and chivalrous enough, and if you want to show to the world that before you wind up this Parliament, you are doing something great and revolutionary, then, have it, but make this disparity in age really effective. Otherwise, many undesirable and sinister things may happen.

Mr. Speaker: What is the safeguard against girls being sold away to some women for various bad purposes? Even if a woman should adopt a girl, the woman should be 21, and there is no difference so far as any misbehaviour that may take place is concerned, as between them. It may be that she may purchase a girl and use her for bad purposes.

Shri N. C. Chatterjee: Many things may happen. The only question is, you are having a disparity or difference in age for a particular purpose and the purpose is this. Taking human nature as it is and taking society as it is, if you allow a boy of 22 to adopt a girl of 15, it will be very undesirable. It will not be safe in the interests of society. Therefore, there should be some check. The only thing that I am asking this Parliament to remember is this.

Mr. Speaker: If a man wants to give away anything to anybody, the man or woman can make a gift of the girl. There is no question of ceremony or obsequies being performed as in the case of a son who must do it for the adoptive father. Whatever one intends to give can be given.

Shri N. C. Chatterjee: Everything can be done. What I am pointing out is this. First of all, there is the adoption of girls. Secondly, if you want to have adoption of girls, should there be some difference in age between the adopted girl and the person who adopts her? The Bill proceeds on that footing. Thirdly, I am only pointing out that if you have got some disparity, that should be the effective period?

An Hon. Member: 51 and 36.

Mr. Speaker: The man is always young; the woman becomes old. After 50 a woman is old, but even at 65 a man is young.

Shri N. C. Chatterjee: A woman becomes a lady after 50.

Shri Raghavachari (Penukonda): In these days of contraceptives, why bother about these things.

Shri N. C. Chatterjee: I am only pointing out to this Parliament what should be done in such a case.

Then with regard to the maintenance chapter, you will find that the clauses requires the serious attention of Parliament and possibly some revision.

Sub-clause (2) of clause 18 reads as follows:—

> "A Hindu wife shall be entitled to live separately from her husband without forfeiting her claim to maintenatce,—
>
> (a) if he is guilty of desertion, that is to say, of abandoning her without reasonable cause and without her consent or against her wish, or of wilfully neglecting her;
>
> (b) if he has treated her with such cruelty as to cause a reasonable apprehension in her mind that it will be harmful or injurious to live with her husband;"

This clause, lawyers have pointed out, may be very difficult to enforce and it is rather left more or less to the subjective mind of the particular person concerned, if she thinks that she is treated with such cruelty as to cause a reasonable apprehension in her mind that it will be harmful or injurious to live with her husband. I feel that about this something should be provided because this is provision which should be provided because this is provision which should be tightened up. A Hindu wife shall be entitled to live separately from her husband and at the same time demand maintenance. Then a fashionable lady whose husband is earning Rs. 4,000 or Rs. 5,000 a month, might think that she is entitled to certain things and she does not get them and then in a modern progressive world she is not being treated fairly she is being treated cruelly and it will be harmful or injurious for her to live with her husband and then she can demand a maintenance.

Then I wish to draw your attention to sub-clause (g) of clause 18(2) which reads as follows: "if there is any other cause justifying her living separately." You know that the Privy Council has held in the Company cases that this is not governed by '*Ejusdem generis*' clause, because a 'genus' is not there and in the previous clauses there is no genus. Therefore that clause would be treated separately, leaving it at large, completely to the unfettered discretion of the wife or the particular court or tribunal or magistrate or may be the civil judge or the munsiff trying a case. So in a case of difference or dispute, I am saying that this clause should be deleted or it should be made perfectly clear what is '*ejusdem generis*' and for any other cause justifying for living separately you have got other provisions with regard to divorce and other things; there is ample provision protecting the wife from possible persecution and therefore, this maintenance chapter should be carefully looked into and it should not be in such an elusive way.

Mr. Speaker: So far as the law is concerned, woman deliberately marries a man who has already got a wife; then what is the meaning of saying that he is deserting her?

Shri N. C. Chatterjee: That is inconsistent with out law. When you passed the other parts of the Hindu Code, you did not make it retrospective. Therefore plurality of wives is recognized today, when you have legalized the existing polygamous marriages; there are very few such marriages. You cannot possibly by this Bill nullify the effect of the enactment which you have made only a short time back. Although those marriages are valid, still any one of those wives can desert the husband and then say that under clause 18(2) (d) of Shri Pataskar's Bill, I would like to live separately and the poor husband will have to maintain her.

Mr. Speaker: This is possible even to a woman who marries a man who has already got another wife.

Shri N. C. Chatterjee: Quite right.

Mr. Speaker: Deliberately she seduces and marries him and ultimately renounces and gives him up and ask for maintenance.

Shrimati Sushama Sen (Bhagalpur South): It won't happen in the future.

Shri N. C. Chatterjee: There is a presumption in favour of the wisdom and sanity of Parliament, but what will people think of us, I ask: The other day you passed the other Act saying that from tomorrow you shall not marry more than one wife and if you do, you will be punished.

As you pointed out there may be cases where a husband who had got a wife, might have cultivated the society of another and got into a matrimonial alliance. Why punish that man unfairly. All this difficulty will be created and I do not think this is fair.

One of the points raised by Shrimati Shivrajvati Nehru, I submit, is an important one. She asked: "Should there be an age limit"? Here all the childern to be adopted, you have made at 15. Therefore, you cannot adopt a boy of 12 or a boy of 9 or a child of 6.

Mr. Speaker: Less than 16.

Pandit Thakur Das Bhargava: Above 15, we cannot adopt.

Shri N. C. Chatterjee: A question has been raised whether there should be an age limit at all. There may be cases where people have adopted even over 15 and these adoptions have led to good relationship. There are two families side by side and they are like brothers and one brother adopts the other's son who has lost his father. Therefore, I suggest that you have got to see whether there should be any such age limit or not. I think that this point should be considered very carefully....

Mr. Speaker: The boy is sufficiently grown up. Therefore, at 16 no other person should exercise control over him.

Shri N. C. Chatterjee: These are all the points I want to make.....

Mr. Speaker: There is clause 10 (iv) which reads as follows:

> "he or she has not completed the age of fifteen years, unless there is a custom or usage applicable to the parties which permits persons who have completed the age of fifteen years being taken in adoption."

So there is no difficulty.

Shri N. C. Chatterjee: I preface my submission to this House by saying that for heaven's sake, if you want to have a Hindu Code, do not allow the custom to have a play. What is after all the Hindu Law? It is a customary law....

Mr. Speaker: There is the *Yajnavalkya Smiiti;* there are texts of Hindu law which are sacred and which are considered to be Hindu Law.

Shri N. C. Chatterjee: Nobody knows more than you. You know that it has been the evolution of custom which has been sanctified. My submission is that if possible, delete this custom and the usage, otherwise, there will be a variety of conflicting customs and it is much better to bring in 'uniformity' by a codification of the law. Otherwise, the main object will be defeated and there will be no point in having this kind of legislation.

Mr. Speaker: Clause 11(v) says:

> "The same child may not be adopted simultaneously by two or more persons."

What does this mean? Does it mean that the same child can be successively adopted? For instance, if a man adopts a child, it is open to him to give the property to some other

man. Then, does this clause give the right to this boy to get himself adopted to some other father? I would like to hear the hon. Minister on this point.

Shri Pataskar: The clause "the same child may not be adopted simultaneously by two or more persons" has been put in because in some parts of the country, there is a custom called *Dwyamushyayana* by which the same child can be adopted by two persons. We wanted to avoid all those complications.

Shrimati Sushama Sen: We have just heard our friend, Mr. Chatterjee. Of course, eminent lawyers, can make "white appear black and black appear white". They are experts in twisting the law. He seems to say something beyond what occurs to us. As you also know Sir, in China they have a woman minister for Justice. She is not a lawyer. They depend on commonsense more than on legal knowledge for judging things.

Mr. Chatterjee has pointed out that there should not be age disparity between the adopted girl and the man who adopts. From what I know, a man would never adopt a girl if he has a son or daughter living or other blood relations. Only when he has no issue, during the later stage of his life, he will adopt a son or daughter. So, I do not think there should be any objection to this, although objection has been taken by lawyers like Mr. Chatterjee. As I said, the lawyers can do anything.

I welcome this Bill. This is the last phase of the codification of Hindu Law and I do not agree with Mr. Chatterjee when he says that it is against the Constitution, because the Constitution gives equal rights to men and women. After we have passed the Hindu Succession Act and the Hindu Marriage Act, I do not see why there should be such an objection to this Bill dealing with adoption and maintenance. It appears quite a simple thing, but if there are any lacunae, I am sure experts like Mr. Chatterjee would have pointed them out.

Shri N. C. Chatterjee: If she wants equality, she must ask for the right of married women also. Here a married woman is discriminated against. A married woman whose husband is alive and who is still a Hindu cannot adopt.

Pandit Thakur Das Bhargava: A married daughter is also not allowed maintenance as a dependent.

Shrimati Sushama Sen: I quite agree with Mr. Chatterjee; the Bill should be amended in that way if possible.

I find that there have been 24 members on the Select Committee with Mr. P. N. Sapru also an eminent lawyer as Chairman. He is also an orthodox Hindu and he has subscribed to all these clauses. He has not put in any objection. There is only one minute of dissent appended to the report of the Select Committee. They must have gone carefully into all the clauses. So, I do not understand why there should be so much opposition. In the Rajya Sabha Dr. Kunzru had given an amendment—I do not quite remember what it was—which was accepted by the hon. Minister of Legal Affairs. So, I do not see the objections raised except that I agree with Mr. Chatterjee that the disparity in age should be looked into and if possible remedied.

Mr. Tek Chand also raised some objections yesterday saying that we are infringing the Hindu law and customs. I do not feel that there is any justification for these arguments and for the amendments that he has brought forward. I do think that it is time we pass this Hindu Adoptions and Maintenance Bill. Especially the clause on maintenance is very welcome, because I think it is very necessary to provide for the maintenance of the wives. The clause saying,

> "If he is guilty of desertion, that is to say, of abandoning her

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without reasonable cause and without her consent or against her wish...." etc.

is very welcome. These are very salutary things. We know the cruelty that is done to wives and so it is very necessary that the maintenance of the wives should be provided for.

I do not feel there is any justification for the objections to this Bill. I congratulate the hon. Minister for having taken this bold step giving the rightful place to women, as should be done in a progressive society as we are living in. Laws and customs framed hundreds of years ago cannot apply now. You yourself have seen, Sir, how in China, which was very backward, they have now given their women equal rights in every sphere of life. There the women are coming forward and helping the nation to go forward. In our country also, once these disparities are removed, I am sure the women will contribute to the fullest extent to the progress of the country. I do not think that the objections of the legal luminaries are justified; I think the Bill should be passed without any dissentient voice.

श्रीमती उमा नेहरू (जिला सीतापुर व जिला खेरी—पश्चिम): जनाब स्पीकर साहब, मिनिस्टर साहब ने इस बिल के पेश करते हुए ऐडाप्शन के हर पहलू को हमें समझाया और आप ने यह भी बतलाया कि यह कोई नई बात नहीं है। प्राचीन भारत के इतिहास में ऐसी मिसालें पाई जाती हैं जहां लड़कियां गोद ली गई हैं। हमने हाउस में आनरेबल मेम्बर्स की तकरीरें सुनीं, ज्यादातर कानूनी और कुछ गुस्से से भरी हुई। बात यह है कि जब कभी भी समाज में परिवर्तन इतना जबर्दस्त होता है जो सारे हिन्दू धर्म की जड़ों को हिला दे, तब एक जलजला सा आ जाता है। असल में जो कुछ भी समाज में परिवर्तन होना चाहिए था वह धार्मिक बेसिस से अलग होना चाहिए था। कानून समय के अनुसार बदलना मुनासिब होता है। अभी हाल में हम नें सक्सेशन ला पास किया है। और भी मैरेज व डाईवोर्स के कानून पास किए हैं। हमें चाहिए कि हम इस सामाजिक उलट फेर को प्रैक्टिकल और रिअलिस्टिक नजर से देखें। कानून बनाने व बरतने में जोश से काम नहीं लेना चाहिए बल्कि होश से हमें हर पहलू को देखना और समझना है।

स्त्री का सामाजिक इतिहास कुछ दु:खदायी है। स्त्री की स्थिति समाज में इसमें कोई शक नहीं है कि बहुत गिरी हुई है, और उसे हम को बदलना है। समाज की उन्नति तभी हो सकेगी जब स्त्री की उन्नति होगी। जिस देश के स्त्री और पुरुष एक समान होते हैं, एक कानून उन पर लागू होता है, वही देश फलता और फूलता है और आगे बढ़ता है। जब तक स्त्री व पुरुष की सामाजिक व आर्थिक स्थिति एक जैसी न होगी यह सब झगड़े बराबर लगे रहेंगे।

इस बिल के क्लाजेज मैंने पढ़े। पढ़ते समय कुछ कंफ्यूजन इस में जरूर दिखाई देता है, खास तौर पर जहां कहा गया है कि पंद्रह साल की उम्र तक लड़का या लड़की गोद ली जा सकती है और २१ साल की उम्र रक्खी गई है गोद लेने वाले की। इस पर जो दलीलें हुई वह परेशानी की थीं क्योंकि यह डर है कि कहीं इसको ऐब्यूज न किया जाए। यह डर है, लेकिन समाज की दशा तो आज भी इतनी गिरी हुई है कि बगैर इस कानून के लागू हुए समाज में हम बहुत सी बुराइयां देख रहे हैं। मैं समझती हूं कि अगर हम पंद्रह और इक्कीस साल का जिक्र न लाते तो ज्यादा बेहतर होता। गालिबन पन्द्रह साल इसलिए रक्खे गए कि अक्सर शादीशुदा बच्चे वाले गोद लिए जाते हैं। लड़की गोद लेना कोई पाप नहीं है लेकिन जो औरतें बिना ब्याही गोद लेंगी, फिर शादी करेंगी तब जरूर गोद

लिए हुए बच्चे की मुश्किल दिखाई देती है, और शादी के बाद कहीं अपना बच्चा हुआ तो कुदरती तौर पर गोद लिए हुए बच्चे का प्यार कुछ कम हो जायगा । इसी तरह की और बातें भी होंगी जो हमें हल करनी चाहिए ।

मेंटिनेंस के बारे विडोड डाटर-इन-ला की पोजीशन इस बिल में कुछ अजीब है । बदकिस्मती से अगर कहीं बहू विधवा होती है तो बिल कहता है कि अगर उसके पास मेंटिनेंस का कोई जरिया नहीं है तो उसका फादर-इन-ला उसके मेंटिनेंस का जिम्मेदार नहीं है यह चीज जरा मेरी समझ के बाहर है क्योंकि इन बातों में हम ज्यादातर अपने देश में मारल लाज बरतते हैं । मेरी राय में विधवा का हक होना चाहिए अपने फादर-इन-ला की प्रापर्टी में भी । सक्सेशन ला का नक्शा जब हमारे सामने आता है तब हम देखते हैं इस बिल को और सक्सेशम ला को साथ रख कर एक अजीब कंफ्यूजन सा होता है ।

इस बिल में दो चीजें दिखाई देती हैं : एक तो स्त्री को गोद लेने का कानूनी हक मिला है और दूसरे लड़की का गोद लिया जाना । यह दोनो परिवर्तन समाज के लिए फायदेमंद हैं । लेकिन अभी तक मासेज में हिन्दू धर्म कायम है, पुत्र की चाह ज्यादा है क्योंकि मरने के बाद उसी को पिंड देने का अधिकार है । यह धार्मिक विचार हमारी नस नस में भरा हुआ है । हमें पूरा विश्वास है कि हमारे समाज में बहुत जल्द परिवर्तन होंगे जो कि मिनिस्टर साहब चाहते हैं । अगर एक यूनिफार्म सिविल कोड होता तो यह सारी मुश्किलें आसान हो जातीं ।

मैं मिनिस्टर साहब को धन्यवाद देती हूं और आशा करती हूं कि वह हमारे सारे संकट को दूर करेंगे और अगर मुमकिन हो तो इस बिल को रिकास्ट भी करेंगे ताकि हमारी परेशानियां दूर हों । यह बिल हिन्दू कोड का आखिरी हिस्सा है । मैं चाहती हूं कि जिस खूबसूरती से और बिल हिन्दू कोड के हमारे इस हाउस में पास हुए उसी तरह से यह बिल भी पास हो क्योंकि इसकी बहुत जरूरत है ।

Shri K. P. Gounder (Erode): Mr. Speaker, this is the last of the series of Bills that have been brought forward for codifying and modifying the Hindu Law. The present Bill, in so far as it has introduced a new principle of the adoption of girls is a clean sweep of the old Hindu Law. There cannot be any objection as adoption is becoming more and more secular. But, this Bill does not refer to the important points of controversy of Hindu law about the right to take in adoption, what is the widow's right to adopt, what becomes of the adopted son when a widow takes in adoption, what is the right of the adopted son in the adopted family, etc.

Clause 6 of the Bill says:

"No adoption shall be valid unless—

(i) the person adopting has the capacity, and also the right to take in adoption;

(ii) the person giving in adoption has the capacity to do so;

(iii) the person adopted is capable of being taken in adoption; and

(iv) the adoption is made in compliance with the other conditions mentioned in the Chapter."

Clauses 7 and 8 deal with capacity to take in adoption, clause 9 deals with who can give in adoption, clause 10 deals with who can be given in adoption and clause 11 deals with the other conditions to be satisfied. Nowhere is there a definition of what is meant by the right to take in adoption.

Mr. Speaker: The effect of adoption is given in clause 12.

Shri K. P. Gounder: I will come to that. I am dealing with the right to take in adoption.

The person must have the capacity and also the right to take in adoption. None of the clauses 7 or 8 or 9 or 10 defines who has the right to adopt. Therefore, we have to go back to the old Hindu Law. Under clause 4, the old laws have ceased to have effect in respect of matters dealt with in the Bill. The question is, has the widow got the right to adopt? The object of the framers of the Bill is not made clear when they do not say who has got the right to adopt. Therefore, we have to go back to the old Hindu Law with regard to the point whether a widow can adopt or not and under which conditions. The aim and object underlying the Bill seems to be to confer this right on the widow.

My next point is, what is the position when a widow or widower makes an adoption. Under the old Hindu Law, when a widow makes an adoption, the adopted boy is deemed to be the son of the adopted father. Now, a widow can take in adoption even against the desires of the husband. If an adoption is taken against the desire of the husband expressed in a will or deed, does the adopted boy become the adopted son of the father also? Clause 12 says:

> "....shall be deemed to be the child of his or her adoptive father or mother...."

Does that mean that he does not become the adoptive child of both? That is a matter which must be made clear. That is one of the most controversial points in the Hindu Law of adoption. Then again, with regard to the right of the adopted boy in the coparcenary family, under the Mitakshara law, an adopted boy becomes a coparcener. But clause 13 of this Bill says: that adoption does not deprive an adoptive father of his right to dispose of his property.

13 hrs.

Mr. Speaker: If otherwise he has got the right to do so.

Shri K. P. Gounder: Where does it say that. In the Hindu Law of Succession we had an explanation that his property would mean his interests in the Hindu family. Before adoption he had the power to dispose of his property. But what is the position after adoption. This point must be made clear.

In a Mitakshara family, the adopted son becomes a coparcener and gets half the interest.

Mr. Speaker: The words used are "capacity and right". But the word "right" is not defined.

Shri K. P. Gounder: Therefore, we have to revert back to the old Hindu law. I have given some amendments on this point.

Shri Telkikar (Nanded): Mr. Speaker, Sir, I rise to support this Bill. Let me begin by congratulating the hon. Law Minister, a maharishi who has introduced this *shastra* in this Parliament.

The innovation about the adoption of girls seems to be quite amazing to some hon. Members. This is because in India we have parts of the country which are male dominated and parts which are dominated by women; in other words, in some parts of India there is patriarchal system and matriarchal system is in vogue in some other parts. In some parts we find there is superiority complex of males, while in others there is superiority complex of females. In male dominated areas whatever rights are given to the females are disliked by the people. But that is not the case with societies which are dominated by females. For example, in Malabar I am told sons-in-law go to their wives' or their wives' mothers' home; while in the other parts daughters-in-law have to go to their husbands' homes. This is not a new thing. Devadasis used to adopt girls. This system was prevalent in India.

After having passed the Hindu Succession Bill, I think it is the natural corollary that we should allow daughters to be taken in adoption. But while doing this some difficulties are bound to arise.

Some apprehensions have been expressed by hon. Members. I have carefully heard the speeches of Shri Nand Lal Sharma and Pandit Thakur Das Bhargava. They seem to dislike the adoption of girls and think that it is quite undesirable. This aspect of the matter was under the special consideration of the Select Committee which has incorporated certain new provisions in this Bill. For example, sub-clauses (iii) and (iv) of clause 11 have been added to the original Bill by the Select Comittee. The substance of it is that there should be a gap of twenty-one years between the ages of the adoptive father or mother and the adopted son or daughter. In their opinion this would act as a safeguard. But I think this condition ought to have been of an advisory nature and not of a compulsory nature, because it has its virtues as well as its vices. While in certain cases it may act as a hindrance against moral degradation, in other cases it would prevent the just desires of persons who want to adopt daughters or sons when they are young. It is possible that there may be a young lady or young man who may have an earnest and genuine desire to adopt a young son or daughter. In addition to the spiritual benefits there are secular benefits also in this Bill. This is in keeping with the present day trends.

I have tabled certain amendments to this Bill. Just as an hon. Member who spoke just now said that there are some words which do not seem to be necessary. For example in clause 6 there are the words "and also the right, to take in adoption". The expression "right to take in adoption" is not defined in the Bill. There are definitions for capacities of different persons for giving in adoption, or to become an adopted son or daughter. These capacities are defined. But the right to adopt is not defined. If we are to have an interpretation of this, we have to go to *Dharma shastra;* if we do that, the whole object of this Bill would be nullified. So, these words should be omitted.

Then again there is another difficulty. Clause 7 deals with the capacity of a male Hindu to take in adoption. It says:

> "Any male Hindu who is of sound mind and is not a minor has the capacity to take a son or a daughter in adoption:"

So, any person, any Hindu male, who is not a minor can adopt a son or daughter. This condition, "not a minor" is not sufficient. The other conditions for valid adoption are given in clause 11. As I have already mentioned, there is a provision under this clause which says:

> "if the adoption is by a male and the person to be adopted is a female, the adoptive father is at least twenty-one years older than the person to be adopted."

Therefore this clause also requires some amendment. I have two other amendments. One relates to clause 8 which is also of the same kind. There also the words "Any female Hindu who is of sound mind, is not a minor" are not sufficient. If she wants to have a son in adoption, one other condition is necessary that there should be a gap of 21 years between the ages of the adoptive mother and adopted son. If these amendments are made, I think on the whole the Bill is progressive, and is in keeping with the times, and therefore I support it.

Mr. Speaker: The hon. Minister.

Shri Barman (North Bengal—Reserved—Sch. Castes): May I say a word?

Mr. Speaker: Yes. I will call the hon. Minister next.

Shri Barman: There is an amendment, and I want to speak on that. I

[Shri Barman]

am not moving that if the hon. Minister is not inclined to accept it. So, I shall speak touching that point.

Mr. Speaker: Or, he can reserve it to when we come to the clauses.

Shri Barman: I shall not move it if he says it is not acceptable.

Mr. Speaker: He can speak on that, unless the hon. Member wants to speak on more than one clause.

Shri Barman: I shall speak generally, and shall not move the amendment because I have some strong views on that and therefore I want to say something in this first reading.

I welcome this Bill mainly for the reason that it simplifies the mass of judicial decisions and texts of Hindu law, *smritis* and all that. It is a very welcome measure, and this being practically the last measure by which Hindu law is being codified, it is very welcome.

There have been some radical changes so far as daughters are concerned, but after all, in our previous Acts we have accepted the position of the daughters to be almost equal to the sons, so there should be no objection at this stage.

I want to draw the attention of the hon. Minister to only one clause particularly, and that is clause 7 of the Bill. Here, according to the provisions in sub-clauses (1) and (2), even if a man has got a son, he can accept a daughter by adoption and *vice versa*. My objection is that after all this law of adopting a son as it obtains now under the Hindu *shastras* has been introduced into Hindu customs because of some religious beliefs, and in *Dayabagha* it is said.

"Putrarthey kriatey Bharjya,
Putra Pinda Prayojaka"

That is, a man requires a son, a man marries because he requires a son, a son is required because of the religious performances, the oblations that the son can offer for the salvation of the father after his death. That is the religious foundation for adoption according to Hindu law and Hindu *shastras*, and it is for that reason that if a man has got a son, he cannot adopt another, and even if he has got no son, he cannot accept a girl. But after all, when you have accepted the position of the daughter to be the same as that of the son here, we must accept the provision that a man has the right to adopt either a son or a daughter. But I do not understand the necessity of adoption when he has got either a son or a daughter. The secular benefit that is derived out of this adoption is that there is a direct descendant after his death for whom he must cherish the highest affection. That purpose is fulfilled if he adopts either a son or a daughter, and provision has been made for that, but as the Bill stands a man having a son or adopting a son, may again adopt a daughter, or after ne has adopted a daughter, can again adopt a son. These things are not only unnecessary, but also create some confusion. When a man wants to give his son or daughter in adoption to another, certainly he has some social and economic considerations, that that son or daughter will inherit the property of the adoptive father or the adoptive mother.

Mr. Speaker: Even when there is a son, a daughter can be adopted under this Bill.

Shri Barman: Yes. Therein my objection is that it should not be made so wide, and therefore I propose an amendment that an additional proviso may be there by which these rights conferred by these sub-clauses (1) and (2) might be exercised by the adoptive father or mother only by exercising his or her right by adopting either a son or a daughter. If he has already adopted or already got a son, he should not be permitted to adopt a daughter and *vice versa*. I think that will meet all cases and at the same time we shall keep our old customs or the enjoining of the *shastras*, also and at the same time extend it by giving the

daughter equal right as the son. That is, hitherto in so far as *Dayabagha* was concerned, no daughter could be taken in adoption, but henceforward a daughter can be taken in adoption. I hope the hon. Minister will consider this matter. We should not make it too wide, but only restrict it in this way that he can adopt either a son or a daughter, whatever he likes.

Shri Pataskar: Yesterday when I made the motion, I tried to explain many of the provisions which are contained in the Bill. I am glad so far as the provisions with respect to maintenance are concerned, there is very little change made in the existing law and that it has not been subjected to much criticism.

With respect to the law of adoption, there have been complaints or criticism of a varied type. I must make it clear that the question of adoption, though peculiar to Hindu law, has become in modern times a matter of social necessity, and therefore we have tried to do nothing which will interfere with those who want to adopt sons from the sole point of view of a religious belief that by adopting a son they will get some place in the other world, or that he will offer oblations. I respect those sentiments, and I would like any hon. Member to point out to me, as I said in the other House also, anything which interferes with that right. I have carefully listened to the speeches and I would say that if a man does not want to die son-less and wants to adopt a son according to his religious beliefs, there is nothing in this Bill which would stand in his way. But, as I said, adoption has got a two-fold aspect. Also, adoption is not merely a religious thing. Why are adoptions numerous nowadays and in what cases? This is worth looking into. In many cases, you will find that adoptions are made by widows. At least, that has been my experience for the last so many years. Why was it so? That was so because a widow was generally a limited owner, and probably the estate was likely to go to some other people after her death. It was always impressed upon her, as soon as she became a widow, that it was in her interest that she should adopt somebody. So, a scramble took place in which the reversioners tried to resist it, because adoption would deprive them of their rights, which they would get after the death of that widow. Unfortunately, the widow was subjected to such pressure that in many cases she had to yield to that pressure and take somebody in adoption and then repent for the whole of her life. My lawyer friends will agree that on account of the change in conditions and the change in ideas, in 99 per cent. of the cases, that resulted in litigation. When a boy went in adoption, his parents who gave him in adoption naturally thought that for nothing that son would be able to inherit and come into the possession of that estate though he was not connected with the estate-owner formerly, on account of his adoption by the widow. The widow thought that probably she would have better rights in dealing with the property by taking a son in adoption rather than by being merely a limited owner.

It was under these circumstances that this adoption was resorted to, and it was for a purpose such as this that adoption was resorted to. Naturally, it was neither from any religious motive nor from any religious belief, but purely from a secular point of view that adoptions took place in many of these cases. What happened was that the whole thing resulted in litigation in courts and all sorts of other complications. That aspect also had to be taken into account while framing this legislation.

Apart from the religious motive, adoption has become a means of solving a social problem in many countries where they never had the law of adoption previously. For instance, here is a very interesting book published by the United Nations Department of Economic and Social Affairs which gives a comparative analysis of the adoption laws in various countries. That book indicates clearly that apart from the religious motive, adoptions have now become necessary from the

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point of view of solving some social problems. Now, what are those problems?

Unfortunately, there are people in the world, whether it be men or women, who have no issue, and they desire to continue *their self* by adopting somebody. They have a desire and a craze to rear up some child, whether a male or a female, a son or a daughter. On the contrary, due to the pressing stress, economic and otherwise, in many countries of the world, where there were no laws of adoption, they found that there were quite a number of orphans or discarded children or some other people who had to be taken care of. Have we not only recently established in several parts of our country children's homes, where abandoned children are taken care of? In fact, the care of those children is a problem that has to be tackled. I know of that very good institution in Bombay, the Sraddhananada Anatha Ashram—probably many people must have heard of it—where hundreds of children are brought up and taken care of. I was told that there was a demand, on the contrary, from people who had no children, and who were out to take care of them and rear them up, to father them or to mother them. It is, therefore, a social problem not only here, but in other countries of the world also, such as—in this book, only Western countries have been mentioned—the countries in Europe, Denmark, France, Greece, Poland, Switzerland, the Union of Socialist Soviet Republics, United Kingdom or Great Britain and Northern Ireland, Yugoslavia, and in North America, Canada, the U.S.A. and several others. After the first world war, that is, after the war preceding the last war, they found that there were numerous children who, on account of the war conditions, had to be taken care of. They had no parents; and they needed parental care. On the other hand, there were parents who could take care of them. The number of such children was a colossal one, and all those countries which had no adoption laws have now passed adoption laws.

Of course, that is merely a secular act. Why is it done? The idea is, as was rightly pointed out by my sister Shrimati Jayashri, that people who are anxious to have some children should be enabled to have them by adoption. But if they cannot legally adopt, then there are so many difficulties that arise. Therefore, they want that there should be some provision whereby the adoption of children by them should be legalised.

Now, I would read only one para. from this U.N. book:

> "It was only after the first world war that under pressure of public opinion and with a view to regularising numerous *de facto* situations, several countries promulgated their first adoption laws or revised existing ones which had become incompatible with modern ideas. Whereas originally the aim of adoption was essentially to provide the adoptive father with a son or a daughter, it is now increasingly considered as a unique means of providing a permanent parental relationship for children deprived of their natural parents."

I do not mean to say that it is from that point of view alone that this law is being enacted. I see the force of the argument that we should have a general law of adoption for the whole of the country. A time may come when probably that may have to be done. But, for the present, when we are trying to codify the adoption law, so far as the Hindus are concerned, who form not less than 80 per cent. of the population of this country, is it wrong, if, along with satisfying the religious beliefs and sentiments of those who want to adopt on grounds of religious considerations, we also make some provision whereby we enable also those people—and there are bound to be some Hindus who would like to adopt children, not

because they want those children to give them *pindas* but from some other considerations—who want to adopt children from other considerations to adopt any child, whether male or female? What is wrong about it? I could have understood the objection on the part of those who want to adopt sons on grounds of religious belief, because they believe—and we must respect their beliefs and sentiments—that it is the essence of religion, and it is necessary also for the purpose of enabling them to go to heaven, that they must have a son who can give them obligations and *pindas*. But there is nothing in this measure which prevents them from adopting sons for that purpose.

Therefore, this measure should be looked at from both these points of view. As I had explained earlier in detail the various provisions of this Bill there is nothing here which goes against those people.

My hon. friend Pandit Thakur Das Bhargava referred to the law of appointing heirs in Punjab. I know he is one of the great social reformers, and I know also the law in Punjab relating to this subject. It is much wider. But I do not think that that is covered at all by this law. I can assure him, and I have got it examined as far as I could, that so far as the question of appointing heirs is concerned, what is done in Punjab is not going to be affected by this; and a man who has got the right to appoint a heir in Punjab can do it now also. I looked into this matter only yesterday, and I am prepared to discuss it with my hon. friend at any time he likes, that this measure relating to adoption will not interfere with the right which some people in Punjab have for appointing their heirs. However, that is a small matter.

Now, what are the grounds of attack on this Bill? First, we had the usual argument 'Why do you not bring forward a uniform civil code'? As I have already explained very humbly on several occasions in the past, well, it will have to be done; that is what our Constitution enjoins on us in the Chapter on the Directive Principles of State Policy; we are not going to violate it. But will it not be easy if we could first have some sort of uniformity with respect to this law which applies to nearly 80 per cent. of the population of this country? Will this not take us subsequently in the direction in which we want to proceed, as provided in the Constitution? So, I would not take up the time of the House in replying to that argument.

Then, I was asked the usual question by my hon. friend Shri Nand Lal Sharma, 'What about Jammu and Kashmir'? Well, all the other Hindu laws which we have adopted have been adopted by the Jammu and Kashmir Assembly, and I am sure that when we pass this here, they will adopt this also. So, there is no question of the Hindus of Jammu and Kashmir being governed by any different law, so far as I could find in the present situation, because our present laws have already been adopted by them.

Criticism was made with respect to clauses 7 and 8. Clause 7 enables a person to adopt a daughter. I know of a case. I will not mention the name. But that gentleman said it in the other House. There is an hon. Member of the other House who has got sons and who did come forward and say that in spite of that, he had a desire to adopt a daughter. What is wrong about it? If there was anything which would come in the way of those who did not want to adopt a daughter, that was a different matter. But so far as the rights of these people to act according to their religious beliefs are concerned, I think they are perfectly kept intact.

Then I pointed out to the learned Pandit that it was a Shastri in Poona who in the year 1880 adopted a daughter. The *Dattaka Mimamsa* allows it. Probably, there have been some decisions in some parts which are at variance. I do not base it on the ground alone. But there is nothing wrong in our making this provision. I do not understand how all the immoral things

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are going to happen because a daughter is going to be adopted. If there are such devils who try to take a girl in adoption and then try to misbehave, what is there to prevent their doing it even otherwise? How is it that by the mere fact that it is going to be allowed now, such things are going to increase? How can the sacredness of relations between man and woman be affected by this? Then, are we to start with a presumption that every man who comes to adopt a woman is going to misbehave? Is that the way in which we should look at this question? I humbly ask these questions of my hon. friends. There are bad people. There are also good people.

Then an objection was raised: why do you allow an unmarried woman to adopt? I will cite an instance here. There is a lady, a well-educated woman who is in the service of the Government of India. She is, I think, somewhere in the Secretariat. She came to me once. Her sister died. Her parents were not there, and she had to rear up the children of her sister. She brought them up. Now she wants to adopt them. She told me that she would be very happy if she could legally do it. I ask, what is wrong about it?

Suppose there is a woman who wants to adopt some one. What is wrong about it, if you are going to allow the man to adopt? Then an argument was put forward that unmarried women might get married; in that case, what will happen to the adopted children? If an unmarried woman has taken some one in adoption and if she gets married, she provides for the child which she has adopted. Why do you presume that she will be so reckless that after having adopted the child, when she herself gets married, she will not in the least care for the child, she will not make a provision for the unfortunate child? If such unfortunate things happen, they might happen in the case of men as well; even men can do it.

Therefore, it is all a question not so much of what we decide to allow them to do but of the character of the persons concerned. Much will depend upon that.

Then a typical instance was given by our sister, Shrimati Shivrajvati Nehru. Suppose there is a girl of 14. We have provided that the difference in age should be 21 years. So the man's age must be 36. She says this is very wrong. I cannot say that it is not possible that they may do wrong. But I say the idea itself is abhorrent, that any person of whatever age, if he adopts somebody as a daughter, will misbehave. If he really cannot resist the temptation to misbehave, I think he will do it even without any such law.

Shri Tek Chand: Why throw a temptation in his way?

Shri Pataskar: There is no question of temptation, because under the existing law, about which nobody has raised any voice, are there not such instances? There are young widows of 16 who have adopted men of 35, 34 or even 30. Even today, under the law, can objection be raised to that sort of thing being done because the man and woman may misbehave? If you start with the presumption that people are going to misbehave and therefore they must be kept apart—these two sexes—I do not know where it is going to lead us. What is the temptation? Is the daughter a temptation? If in the sacred name of an adopted daughter a man can do such things, we know he could do much worse without having any such law before him.

Even under the English law, when the Bill was originally brought forward, there was no difference with respect to age. But we thought that inasmuch as we were allowing daugters to be adopted, it was worthwhile considering that there should be some difference in age. Naturally, we took the provision as it was in the English Act, which was being operated there, with this difference. Naturally there

should be some difference between the age of the person to be adopted and the person adopting. There should be no distinction whether it is male or female. Both can behave or misbehave equally.

So we have said that in the case of a male trying to adopt a female, there should be at least 21 years difference in age. In the case of the female also, the same condition has been laid down. We have to strike some bargain. Whatever age is fixed, there will be many people who may misbehave. But the main question is that some sort of formula has to be found out. We thought that there was one in operation in England. Probably they had a good deal of experience there, because adoption has to go before court. The same objection as was raised here could be raised if the difference in age was fixed at 25 years. I think there is an amendment which says that the difference should be 50 years. I should like the hon. lady Member to consider what the consequences will be if that was accepted.

श्रीमती शिवराजवती नेहरू : (जिला लखनऊ मध्य) : एडाप्शन की उम्र कम होनी चाहिए ।

Shri Pataskar: Normally, adoption takes place with respect to a child. But there is a custom in some parts relating to adoption of older people also. I had to make a compromise by providing for that custom. Why? Because there is a community which still maintains that it has got the right to adopt not only people of certain age but also even married people. In the other House, I was told by an hon. Member: 'No, you must allow even married people to be adopted'.

Therefore, some compromise had to be arrived at. We had to arrive at some figure. It was thought that after all there should be some restriction; we should not go on allowing people to adopt whole families. Therefore, the age has been put down at 15. We might change it to 16, 18 or 14. But even then, I am sure the same objections could be raised. But after all, in all such matters, we have to find out a certain mean. The Select Committee and everybody concerned thought that 15 was the proper age.

My hon. friend, Shri Tek Chand, raised the usual objection about draftsmanship. He is an expert draftsman. Unfortunately, my draftsmen are as they are. Of course, every Bill that is brought here receives their very close scrutiny, but we have taken the best efforts that we can to see that the drafting is as perfect as possible and carries out our intention. But after all, nothing can be absolutely perfect anywhere. Whether you put it one way or the other, I am sure, lawyers will criticise it. I have been myself a lawyer and so I take his objections only from that point of view, as a pointer to consider whether they need any change or not.

The other objections to the clauses will naturally be considered when we come to the clause by clause consideration. As I said earlier, with respect to adoption also, I will again say that so far as I have been able to think of this problem there has been nothing done in this which will interfere with the religious beliefs and sentiments of any one who wants to have an adoption on the ground of his own religion. But it must be remembered that there are a large number of Hindus also who might adopt not from the motive of getting oblations from the son, because nowadays, we find even real sons do not really give oblations. That is different matter. We are getting more and more purely secular-minded.

Then they say that if there is a son or a son's son, that is grandson, another son should not be adopted. I think that is right. That is consistent with the idea which the Hindus, on the whole, have got. If there is already a son, why should a man be allowed to adopt another son? It was said, why not? Supposing that son is a bad person; why not allow the man to adopt another son? I am sure that if the natural son of a man has given him so much trouble, the man is, probably, not likely to try the experiment

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of adopting someone else as his son. There are many ways of dealing with that situation. Having been blessed with a natural son, I do not think a man will repeat the performance of getting somebody's son as his own. I do not say it is not possible. These are exceptional cases. Normally, we try to stick to the law. Therefore, as far as this law of adoption is concerned, I believe, except for this permission given to those Hindus who may want to adopt a daughter, there is nothing new. I think it will not lead to any difficulty.

The usual threats have been showered at me that I am trying to destroy the Hindu religion. My friends still believe that *Dattaka Mimansa* is not a *shastra*, because it allowed the adoption of a daughter. No reply was given to my question. Then, I pointed out the instance of Maharaja Dasarath giving his daughter in adoption to his friend. There was no reply. But, still if Maharaja Dasrath did not go to hell, I shall not be going. If I shall have to go to hell because I am passing this Bill, I am not afraid of that.

Pandit Thakur Das Bhargava: That was lakhs of years before.

Shri Pataskar: If not in this life, in the next life I may have to suffer; I am prepared to suffer the consequences. I shall be in good company because I will go wherever those hoary sages and writers have gone, because the author of *Dattaka Mimansa* was not an imperfect man—just like me. I will live in happy company and I am not afraid of that prospect at all.

Pandit Thakur Das Bhargava: May I put one question to the hon. Minister? According to the present law, if a man adopts a son and thereafter he begets a natural son, the share of that adopted son is much less—and you know this much better—than the share of the natural son. There is no such law with regard to girls because girls were not allowed to be adopted. You have made no provision in this Bill so far as this question of the shares of the adopted son and the after-born natural son are concerned. Therefore, I presume that the present law will be effective. That is, the adopted son will not have the same share as the natural son in the property of the father. But, as there is no such law with regard to women, there will be discrimination between adopted sons and daughters. I want to know whether the hon. Minister wants to bring them into line with each other.

Shri Pataskar: We will examine it when we come to the wording of the clause. I know that under the law as it stands, if a man adopts a son and a natural son is born to him afterwards, the share of the adopted son is reduced. Generally, after a man adopts a child, he does not get a natural son. The man would not adopt so recklessly.

But, let us take the case of a woman, leaving aside the case of a man. Supposing an unmarried woman adopts a son today and subsequently marries and then she begets other sons. Whatever these other sons of that husband will get in the property of their father is a different matter because they inherit to the father. But, so far as their right to the property of the woman is concerned, my idea is that this adopted son would share equally with the other sons who are born after.

Pandit Thakur Das Bhargava: That is not the present law.

Shri Pataskar: That is what would be the effect of this law.

Pandit Thakur Das Bhargava: Either you should provide something here or somewhere else.

Shri Pataskar: That would be the automatic effect.

Pandit Thakur Das Bhargava: Supposing there are natural-born sons of the same father and mother after the adoption. The adopted son would not get the same share as the natural son. Because we are making a new law, I am only making a suggestion so that there may not be any discrimination between the sons and daughters that

may be adopted. You should have to bring them on a par either here or you should bring in another law whereby the adopted son will get the same share as the natural son. Something will have to be done. Otherwise, this will create distinction between the adopted sons and daughters and there will be difficulty also in actual practice between adopted sons, daughters and natural sons and daughters.

Mr. Speaker: The question is:

"That the Bill to amend and codify the law relating to adoptions and maintenance among Hindus, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Clause 2.—(*Application of Act*)

Mr. Speaker: Clause 2; are there any amendments to this clause?

Shri Tek Chand: Sir, I have my amendment, No. 25.

Mr. Speaker: Is there any other amendment?

Shri L. Jogeswar Singh (Inner Manipur): I have my amendment, No. 4.

Mr. Speaker: Does the hon. Minister accept either of them?

Shri Pataskar: No, Sir.

Mr. Speaker: Does the hon. Member, Shri Tek Chand want to speak; has he not already spoken?

Shri Tek Chand: I have spoken during the general discussion but I want to speak on this amendment of mine.

Mr. Speaker: Yes.

Shri Tek Chand: Sir, I beg to move:

Page 1, line 18—

omit "as part of that law".

Sir, this amendment of mine is of a non-controversial nature. It has been tabled by me more with a view to bring clarity and to avoid confusion. Clause 2(c) says:

"to any other person who is not a Muslim, Christian, Parsi or Jew by religion, unless it is proved that any such person would not have been governed by the Hindu law or by any custom or usage as part of that law....."

These five words are objectionable. They are conducive to confusion, because it will be known that in Punjab, custom holds the sway. Custom is the first rule of decision. Ninety per cent. of the people are governed by custom. So, what I want is to facilitate the work of the hon. Minister in this matter. You are going to include that custom only which is part of that law, that is, Hindu law. What I say is that if you eliminate these five words the result will be something consistent. You include any custom or usage of Hindu law. The effect of it will be that it will be an all-embracing Act. If you retain these words, there will be battles royal in the law courts, where the question will be whether the Punjab custom, which governs a crore and 26 lakhs or at least a substantial majority of that—with the addition of PEPSU it will be more—can be deemed to be part of the Hindu law despite the fact that it applies to Hindus, Muslims, Christians etc. uniformly. Therefore, there will be many difficulties created.

This custom of adoption, which is of a secular character in Punjab, was in the ancient days deduced or inferred from the Hindu law. It will be an endless and a most confusing enquiry. But the moment you omit those five words, you apply it in an intelligible and logical form. The peculiarity of Punjab custom is that it is the first rule of decision.

Mr. Speaker: Does the hon. Member mean that the custom even if it has arisen out of the Muhammadan law, might be applicable to the Hindus?

Shri Tek Chand: Yes, exactly that. I am grateful to you for that last observation of yours. Custom governs agricultural communities who may be Christians, Muslims as much as Hindus. The law of adoption, is recognised by

[Shri Tek Chand]

Muslims and Christians, who come from agricultural tribes, and the question may well arise that under the custom, adoption is being recognised and it is being practised. It is a secularised institution. It is, if I may say so, *nominus heriditio*, institution for appointing an heir. That being a peculiarity, either you make a clear provision here that Punjab custom is abrogated so far as it applies to the law of adoption—at least there will be clarity, there will be consistency and we know where we stand—or you say that the customary institutions as practised in the Punjab *vis-a-vis* adoptions are excluded. If that is so, then they will come into conflict with clause 5 which provides that "no adoption shall be made after the commencement of this Act by or to a Hindu except in accordance with the provisions.....". The agriculturist Brahman or Kshatriya or Rajput of Punjab is a Hindu all the same. For the purpose of the law of adoption he may be governed by the customary law of adoption, which has not necessarily stemmed from Hindu law. What is his position? You are in that event jeopardising the customary law of the Punjab. Either recognise it as something separate from the Hindu law or refuse to recognise it. But do not leave it in the condition in which it is now there.

The hon. Minister a short while ago was pleased to say that he had the position examined and that the Punjab customary law will remain unaffected. May I put a question to him? Let him look at clause 5, which says—

> "No adoption shall be made after the commencement of this Act by or to a Hindu except in accordance with the provisions....."

There are a very large number of Hindus who may be governed by adoption, not by your strict Hindu law, and they are going to be affected the moment a question arises: Is the adopter a Hindu? The answer obviously is: He is. Then you say that he is hit by clause 5.

This matter deserves to be examined. The way, therefore, I suggest in all humility is to remove those five words and you will have a smooth sailing without any confusion, without any difficulty.

Mr. Speaker: Amendment moved:

Page 1, line 18—

Omit "as part of that law".

Shri Barman: I think Shri Tek Chand's point is not met by the amendment that he suggests. Here in clause 2, sub-clause (a) says that it applies "to any person who is a Hindu by religion in any of its forms....." and sub-clause (b) says that it applies to any person who is a Buddhist, Jaina or Sikh by religion" and sub-clause (c) says it applies to other persons, that is, other than those mentioned in sub-clauses (a) and (b). Regarding my friend's contention about those persons, I think they are all included under sub-clause (a); they are Hindus by definition. Even if his amendment be made, that will not help him very much. On the other hand, as the hon. Minister observed a little while ago, I think that the case of appointment of heirs does not come strictly under adoption. But whatever that might be, the amendment proposed to sub-clause (c) by Shri Tek Chand does not help him very much in the object that he has in view for the deletion of those words.

Shri Mulchand Dube (Farrukhabad Distt.—North): I do not know if I have understood what Shri Tek Chand has been saying, but it appears to me that the last word in clause 4 clearly meets the point, and I do not think the amendment is necessary because it expressly says:

> "Any text, rule or interpretation of Hindu law or any custom orusage at part of that law in force immediately before the commencement of this Act, shall cease to have effect with respect to any matter for which provision is made in this Act."

If provision is made in this Act, then any custom or usage will not apply. As provision in this Act has been made for adoption, in clause 5, the usage or custom will cease to have any operation.

Shri Pataskar: So far as this amendment to clause 2 is concerned, as I have already said, this clause 2 is the same as the clause 2 which we have passed in respect of all other Acts. It only means the people for whom these Acts we are passing are to apply. I will not take up much of your time. But my friend seems to be worried as to what would happen to some of the people in the Punjab who have got the right to appoint heirs. So far as I can find, here is a judgment and I will read it out:

It was observed by Jai Lal, J., in 1931 Lah. 545;

> "Now it is well recognized that in the province a member of an agriculturist tribe can by custom, instead of formally adopting a son, appoint an heir to him, that such an heir does not possess the rights of an adopted son but merely succeeds to the estate of the person appointing him; he is not transplanted to the family of the appointer nor does he lose his rights in the natural family....."

So far as I have been able to follow, the appointment of an heir is something which is distinct, and I do not think that it is going to be affected by the law of adoption because it is also mentioned there that, as a matter of fact, he does not transplant to the other family. Practically there is no trouble. This is something entirely different. Appointing an heir is not the same thing as taking a boy in adoption.

I am sorry I cannot accept this amendment.

Shri L. Jogeswar Singh: I beg to move:

Page 1, line 12—

for "Prarthana or Arya Samaj"

Substitute "Prarthana, Arya Samaj or Animism".

Here I wish to add the word "Animism". The Bill seems to have forgotten a large section of Indian population who are more or less tribals. The tribals are more or less Hindus. To all intents and purposes they are Hindu as good as any but they have their customs and usages. Tribals are more or less Animists. They are not Christians; they do not adopt any other religion; and if you do not add this word 'Animism' here, then all the tribals, who are the aborigines of India, will be excluded from the operation of this Bill. So far as the customs of the tribals are concerned, they are almost the same as the customs of the Hindus. May I cite one example? In my part of the country generally, the tribals who are not Hindus, do observe the customs and usages and the religious rites and performances of the Hindus. They generally celebrate the *holi* festival and other seasonal Hindu festivals. For all intents and purposes they are Hindus. In order to safeguard the rights of tribals, this word 'Animism' has to be added. In the tribal families, when the father is a Christian, the son may not be a Christian and *vice versa*. In the cases of adoptions also, the valley people, Hindus, adopt tribals as their sons and daughters. If the present custom and usage there is disturbed, then, it will not be in the interest of the tribals there. I really want to bring it to the notice of the hon. Minister that the vast tribal populations follow more or less the same customs and traditions as the Hindus and so their rights must be protected by suitable provision in this Bill. I should like the hon. Minister to explain the position.

14 hrs.

Shri Pataskar: There will be no difficulty with respect to Animists being included as persons to whom this will apply. It applies to any person who is a Hindu by religion in any of its forms or developments. It also applies to any person who is

[Shri Pataskar]

a Buddhist, Jaina or Sikh by religion. Then, it also applies to any other person who is not a Muslim, Christian, Parsi or Jew by religion. I think it is not necessary to mention Animism; it will be covered by sub-clause (c). I think there will be no difficulty.

Shri L. Jogeswar Singh: Sir, I do not press my amendment.

Mr. Speaker: Is it necessary to put amendment No 25 to the vote of the House?

Shri Tek Chand: No, Sir, I do not press my amendment. I beg leave to withdraw it.

The amendments was, by leave, withdrawn.

Mr. Speaker: The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2, was added to the Bill.

Clause 3—(*Definitions.*)

14.04 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

Shri Tek Chand: I beg to move:

(i) Page 2, line 21—

for "signify" *substitute* "include"

(ii) Page 2, line 26—

add at the end:

"it has not been discontinued."

(iii) Page 2—

omit lines 27 and 28

Sir, my amendments relate to the definitions clause. The definitions should be complete and all-embracing. It should be indicated by the word 'means' or 'includes'. When the word 'means' is used, it shows the exact definition. When the word 'includes' is used, the idea is that over and above the accepted definition, an additional inclusion is also there. For the first time, I notice that in sub-clause (a), the word used is 'signify'. It reads: "The expressions 'custom' and 'usage' signify". My amendment is that, instead of the word 'signify', you should have the word 'include'. My reason is that 'signify' more or less means an indication. That is to say, attention is being brought by the law to one aspect of that matter, to which the object is to draw the attention Therefore, the word 'signify' is used. Virtually, in sub-clause (a) you are reproducing the well-known definition of 'custom'. Therefore, the word should be 'mean'. By way of abundant caution, you may have the word 'include'. But, under no circumstances, you should have the word 'signify', because it narrows down the definition and hardly stays as a definition. That is all about my amendment No. 27.

About my amendment No. 28 and the consequential amendment No. 29, I wish to invite the attention of the hon. Minister to the second proviso to sub-clause (a). You say:

> "Provided further that, in the case of a rule applicable only to a family, it has not been discontinued by the family;"

That is to say, you are recognising the principle of continuance of a family custom but not the principle of the custom of the tribe, community or group. Please remember that the custom of a tribe or community or group is capable of being abrogated by custom as much as family custom. May I, in this connection, invite the attention of the hon. Minister to the standard work on Punjab Customs by Sir William Rattigan? He says that a custom may be abrogated by a custom and he does not make a distinction that this observation is confined to family custom only. He bases it upon the well-known maxim:

Cujus est instituere, ejus est abrogare

He who can institute can also abrogate. That is to say, it is open

to the group or community to abrogate a custom which it has adopted. But you are giving this right of abrogation of the custom to the family custom and not to the other customs.

The first proviso reads:

> "Provided that the rule is certain and not unreasonable or opposed to public policy:"

I want to add at the end "it has not been discontinued". You are achieving a more logical result thereby. That is to say, a good custom which is ancient, reasonable, not opposed to public policy continues to hold sway so long as it is being observed and not abrogated. That would be more logical. The third amendment No. 29—is a consequential amendment. It contemplates the omission of lines 27 and 28—the omission of the second proviso altogether.

Mr. Deputy-Speaker: Amendments moved.

(i) Page 2, line 21—

for "signify" *substitute* "include"

(ii) Page 2, line 26—

add at the end:

"it has not been discontinued".

(iii) Page 2—

omit lines 27 *and* 28.

Shri Pataskar: Sir, it is provided here that the expressions 'custom' and 'usage' signify any rule..... That is how we have already defined 'custom' and 'usage' in the other Acts which we had passed. Apart from that, 'signify' is a better word than 'include'. 'Include' widens the scope of custom and usage and I do not think it is the intention of the hon. Member. With respect to the family the matter is a little different. I shall quote Maine because I do not want to quote all the rulings. This is what he has said:

> "Continuity is as essential to the validity of the custom as antiquity. In the case of a widely spread local custom want of continuity would be evidence that it had never had a legal existence. But it is difficult to imagine that such a custom, once thoroughly established, would come to a sudden end".

That is what I wanted to point out with respect to custom. Again, Maine's *Hindu Law* goes on to say that where it appears that the members of a family are entrusted with certain duties, for a certain period of years, they will be treated as under the Law of Succession and other laws.

What I mean to point out is that there is a difference in so far as a family is concerned. It is a different matter in that case. Therefore, we have provided in the way in which we have done. If it is a discontinuance of the family, I do not think that it is necessary to carry out what the hon. Member said. However, I can assure the hon. Member that probably, when these parts of the Hindu Code are brought together, there will come a time when we might consider all these things and see what the effect is.

I should like to suggest to the hon. Member that he should withdraw his amendment. What we are doing is, we are trying to confine ourselves to the way in which we have already dealt with similar laws. So, I think we should not try either to widen the scope or to interfere with it.

Mr. Deputy-Speaker: Does the hon. Member withdraw them?

Shri Tek Chand: You need not put them to vote. That is what I think was done last time.

Mr. Deputy-Speaker: I presume that the hon. Member withdraws them.

Shri Tek Chand: As you please. I beg leave to withdraw my amendments.

The amendments were, by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

"That clause 3 stand part of the Bill".

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4 was added to the Bill.

Clause 5.— (*Adoptions to be regulated by this Chapter*)

Shri Tek Chand: I beg to move:

(i) Page 3, line 13—

after "Chapter" *insert*

"or in accordance with any rule of custom or usage"

(ii) Page 3, line 15—

after "rights" *insert*
"or liabilities"

(iii) Page 3, line 16—

after "in favour of" *insert*
"or against"

(iv) Page 3, line 17—

after "acquired" *insert*
"or incurred"

It will be noticed that in clause 5, the words are:

"No adoption shall be made after the commencement of this Act by or to a Hindu except in accordance with the provisions contained in this Chapter," etc.

There, I wish to add "or in accordance with any rule or custom or usage". The object of the hon. Minister will then become crystal clear. He himself has said in the House this morning several times that he has no intention at all to disturb the adoption in the form of an appointment of an heir by means of this legislation.

Shri Pataskar: I have not said so. What I have said was that it is not at all a form of adoption. Appointment of an heir is a different thing altogether.

Shri Tek Chand: The word "adoption" used in the decided case laws has two well-known senses. One is the scacerdotal form of adoption which is transplantation of one family in another, and the other is the secular form of adoption. They are styled by the name of adoption. *Krithrima* adoption of the strict Hindu law is a secular type of adoption whereas the *Datta Homam* adoption of Hindu law is a sacerdotal form of adoption. Therefore, the word "adoption" is not so well defined as to restrict it exclusively to sacerdotal form, to the exclusion of the secular form or what is known as the appointment of an heir. It was for this reason that I suggested that after the word "Chapter", the words indicated in my amendment No. 32 may be inserted, the words being "or in accordance with any rule or custom or usage". The insertion of these words is an attempt towards clarity. Otherwise, the issue is bound to be clouded.

Amendment No. 33 is to clause 5(2). You will find that it exclusively deals with the rights. This is what it says:

"An adoption which is void shall neither create any rights in the adoptive family in favour of any person which he or she could not have acquired except by reason of the adoption, nor destroy the rights of any person in the family of his or her birth".

Now, there is an attempt to concentrate upon the word "rights". Apart from the rights, there are also corresponding obligations or liabilities. Just as on being adopted, the adopted child has certain rights in the property of the new family into which he has been transplanted, he also incurs new obligations to maintain the decrepit and the infirm

members of the new family. Therefore, whereas you are dealing with the rights, you should also mention the obligations. That is why I have suggested that the words "or liabilities" should be inserted after the word "rights" in line 15. Thus, with this amendment and with the amendment No. 34, sub-clause (2) will read thus:

> "An adoption which is void shall neither create any rights or liabilities in the adoptive family in favour of or against any person" etc.

The result will be that with regard to the rights as well as obligations, we will have a uniform law. Now, you are thinking of rights only, and you have forgotten the obligations. It may very well be that he may be deprived of rights but he may be saddled with obligations. This is a state of things that ought not to be there. It is with this intention that I have moved amendment Nos. 33 and 34.

Amendment No. 35 seeks to insert "or incurred" after the word "acquired". In other words, I make it clear that rights are acquired while obligations are incurred. Therefore by having these three amendments, you will be laying down a uniform law both regarding rights acquired and the obligations that have been incurred.

Mr. Deputy-Speaker: Amendments moved:

(i) Page 3, line 13—

after "Chapter" *insert*:

"or in accordance with any rule of custom or usage"

(ii) Page 3, line 15—

after "rights" *insert*:

"or liabilities"

(iii) Page 3, line 16—

after "in favour of" *insert*:
"or against"

(iv) Page 3, line 17—

after "acquired" *insert*:
"or incurred"

Shri Barman: The first amendment moved in the series of four amendments referred to by Shri Tek Chand says that the words "or in accordance with any rule or custom or usage" should be added after the word "Chapter" in page 3, line 13. If we agree to that amendment, it comes to this. The provisions of this chapter will become absolutely nugatory. They will become useless. There are so many customs and usages in vogue. So, if the words suggested in his amendment are inserted, then, what is the meaning of saying:

> "No adoption shall be made after the commencement of this Act by or to a Hindu except in accordance with the provisions contained in this Chapter," etc.

So far as customs and usages are concerned. They are not included as provisions.

Further, in the same clause, what is provided is:

> "....and any adoption made in contravention of the said provisions shall be void".

With the amendments of Shri Tek Chand, the provisions would become absolutely very difficult to explain. The main purpose of the codifiction of this law of adoption is this. The rulings of the various courts, the texts and other things also have already become confusing to the public. This codification is being done to remove that confusion and settle a clear line of adoption laying down, who can be adopted, who can adopt, what should be the formalities of adoption and what are the consequences. In addition to that, if you say that customs and usages also will remain as they are, I think it will be confusion worse confounded.

Pandit Thakur Das Bhargava: There is one point which has been made by Mr. Tek Chand. The hon. Minister has made a statement in this House that this adoption law does not apply to the appointment of heirs. We are thankful to him for that. But, the courts will refuse to take congnizance

[Pandit Thakur Das Bhargava]

of it and they may hold that the appointment of heirs is tantamount to adoption.

Mr. Deputy-Speaker: The hon. Minister is proceeding on the assumption that the appointment of heirs in Punjab is distinct from the adoption that we are talking here. But, what is the guarantee that the courts will also interpret it like that? That is the difficulty of my friends here from Punjab, because adoption includes sacramental adoption as well as the appointment of heirs. The hon. Member at least is under the impression that the appointment of heirs would not be covered and would not be affected by this adoption law. If that is to be so, would it not be essential or advisable that it may be made clear somewhere?

Pandit Thakur Das Bhargava: The hon. Minister made it absolutely clear —and we are thankful to him for that —that this adoption law will not apply to the appointment of heirs. So far so good; but at the same time, we want to be assured that the courts also will take the same view. That can be secured if the hon. Minister kindly agrees to any of the amendments here that this adoption does not include appointment of heirs in the Punjab. That will make the position clear. Otherwise, in Punjab the appointment of a heir and the other adoption are really confounded together. The appointment of a heir is tantamount to adoption. The position may be made absolutely clear, so that litigation may be avoided in Punjab. We thank the hon. Minister for his statement in the House, but it would be better if he puts somewhere in the Bill—in the definition clause or in some other clause—that this adoption does not include the appointment of heirs.

Secondly, there is another point with regard to sub-clause (2) of clause 5. I think this would give a go-by to an accepted doctrine of Hindu law called *factum valet*. Suppose an adoption is made invalid a long time after it had been given effect to; if the father dies, the son is not allowed to succeed in the natural family. If the adoption is invalid or void after a long time during which the son has been away from the natural family, the principle of *factum valet* will prevail and no person shall be allowed to come into it again. We have made a similar provision in the case of marriage also in the Hindu Marriage Restraint Act, 1929. The principle of *factum valet* is there. I feel that this provision, sub-clause (2) of clause 5, will hit very hard upon the people after some time. Supposing after a person has been taken into family, after successions have taken place, say, after 50 years, if the adoption is declared void, according to this provision, it will be very difficult for the families to readjust themselves and avoid the consequences of all the successions that have taken place in the family. It was because of this difficulty that the principle of *factum valet* was adopted in the Hindu law. It is a good law and I think that a general provision like clause 5(2) will create hardships in many cases.

I know that in certain respects, this Bill is against the accepted principles of Hindu law. For instance, there have been various rulings of High Courts that if a person has already succeeded to property in the natural family, the mere fact that he has been adopted will not deprive him of the property to which he has succeeded. The hon. Minister may say that the number of such cases is very small; but, it is not a question between the adoptor and the adoptee only. In Punjab it is a personal relationship. For instance, when a person adopts a girl now according to this Bill, the son will have a sister imposed upon him. Similarly if there is a girl and if the person adopts a son, then a brother will be imposed upon the girl. It will affect them so far as their succession rights are concerned. These are all matters which require further consideration. At this stage I can only

say this much and I would request the hon. Minister kindly to look into all these matters. I cannot offer him anything more substantive.

Shri Mulchand Dube: I think that a heir appointed by any customary law in Punjab does not get the status of a son.

Shri Tek Chand: He does; he is a son, not an uncle, in the adopted family.

Mr. Deputy-Speaker: So far as transplantation is concerned, that is a different thing. But so far as succession to the adoptor is concerned, he is a son.

Shri Mulchand Dube: If the appointed heir is deemed to be the son of the person who appoints him as heir, the matter is different, and there is bound to be some confusion. But if he does not get the status of a son, then clause 12 makes the matter clear. It reads:

> "An adopted child shall be deemed to be the child of his or her adoptive father or mother....." etc.

In case he gets the status of a son, the matter is different.

Mr. Deputy-Speaker: He does get the status of a son.

Shri Pataskar: So far as this question about the appointment of a heir is concerned, I have already made the position clear. Of course, I cannot know as much of Punjab law as yourself and other hon. Members know. But, still, I am inclined to think that the appointment of a heir is something distinct from the adoption of a son for which this law is being enacted.

To accept the first amendment proposed by my hon. friend regarding custom, usage etc. will be to nullify the purpose of the clause. I am not prepared to accept it, because that is a different matter altogether.

With regard to sub-clause (2) of clause 5, I will read out what Maine has said. I am referring to page 269 of *Maine's Hindu Law* where it is said:

> "It was held by the Madras High Court as early as 1863 that an invalid adoption of a person does not affect his rights in his natural family nor does it confer upon him any rights to maintenance in the adoptive family."

That was a case of maintenance.

> "He loses nothing and acquires nothing. It is as if no adoption ever took place. The view taken by the Madras High Court, that an adoption must be effectual for all purposes or a nullity has the merit of being practical and intelligible, while doing substantial justice to all parties."

It is from that point of view that this provision has been put in there. So far as the question of liabilities is concerned, I think they stand altogether on a different footing. I think my hon. friends will realise that here what we are trying to lay down is,

> "An adoption which is void shall neither create any rights in the adoptive family in favour of any person which he or she could not have acquired except by reason of the adoption, nor destroy the rights of any person in the family of his or her birth."

So far as liabilities are concerned, that is a different matter. Suppose a body has gone in adoption to the family of A and subsequently incurs certain liabilities; suppose the boy enters into a contract. He will be bound whether the adoption is valid or not. Rights stand differently from liabilities. I am summarising the existing law with respect to the rights acquired whether the adoption is valid or invalid. I hope my hon. frined will agree and withdraw the amendments.

Shri Lakshmayya (Anantapur): May I know whether *illatom* adoption that is found in South India is included in this Bill or it is excluded?

Shri Pataskar: All adoptions will be as laid down in this Bill.

Shri Lakshmayya: *Illatom* adoptions also?

Shri Pataskar: All adoptions.

Mr. Deputy-Speaker: Need I put these amendments to the House?

Shri Tek Chand: My point is really to convince the hon. Minister. If he is not convinced, I do not want to waste the time of the House in having the matter put to the vote of the House and beg leave to withdraw my amendments.

The amendments were by leave withdrawn.

Mr. Deputy-Speaker: The question is:

"That clause 5 stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6. — (*Requisites of a valid adoption*)

Shri K. P. Gounder: I beg to move:

Page 3, lines 20 and 21—

omit "and also the right".

Clause 6 says:

"No adoption shall be valid unless

(i) the person adopting has the capacity, and also the right to take in adoption;"

Clauses 7 and 8 define capacity of the person to make adoption. We do not define anywhere who has the right to make the adoption. Under the exemption clause, we have to go to the Hindu Law again. Under the Hindu Law, the right may be construed as power to make adoption. A widow can take an adoption with the consent of the husband or with the consent of the *sapindas*. The wording seems to nullify the provisions of the law. So far as I can understand, the object of the framers of the Bill appears to give women the right to adopt without the consent or permission of the husband or the *sapindas*. If that is so, there is no meaning in saying, "the person adopting has the capacity and also the right to take in adoption". I think this has been copied from some text of Hindu Law which says that a person must have the capacity and also the right. Right may mean power to adopt. Who has got the power to adopt? A male has got the right to adopt. As far as the female is concerned, there are differences of views among the various authorities. The consensus of opinion appears to be, the woman must have the consent either of the husband or the *sapindas* and then only she gets the right to adopt. By adding these words "and also the right" I do not know what the framers of the Bill intended. Anyhow, it makes the position ambiguous. To have the wording as it is may give room for complications. To accept my amendment does not do anybody any harm.

Mr. Deputy-Speaker: Amendment moved:

Page 3, lines 20 and 21—

omit "and also the right".

Shri Tek Chand: I endorse what has dropped from the lips of the preceding speaker. Really the word 'right' has no place in clause 6. Right, as we know, is not an absolute term. It is a relative term. Right corresponds to obligations. The word 'power' is the correct word. Therefore, you ought not to say, "No adoption shall be valid unless (i) the person adopting has the capacity, and also the right.....". If you drop the words "and also the right", no difficulty arises, because the right to adopt is totally different. It is really the power to adopt. The *protestas* to adopt is also included in the expression capacity. Therefore, I support my hon. friend Shri K. P. Gounder.

Pandit Thakur Das Bhargava: I fail to understand the full implications of the word 'right' here. Let us see the

subsequent clauses. Clause 7 says, any male Hindu has the capacity to take a son or daughter in adoption. In clause 8, it is said, any female Hindu has the capacity to take in adoption. Further, 'right' to give in adoption is not there. It is capacity to give in adoption. Everywhere, the word capacity is used. I have to see what is the difference between capacity and right and how a right is different from capacity. In these three or four clauses only the word capacity is used. Where is the word 'right' used. What is the right. A man has the right to adopt if he has got no wife. The wife may or may not consent.

Mr. Deputy-Speaker: That may be a remnant of the old law when a man having a son could not adopt.

Pandit Thakur Das Bhargava: I have seen the old Bill of Dr. Ambedkar. He used these very words. In every place, actually, the phraseology is the same. He used the words capacity and right. That law never came here and it was not discussed here. We did not consider it. I would like to know from the hon. Minister whether he has used in any other part of this law the word right so that we may know the full implications of the word 'right' here. If capacity alone remains and the word 'right' is taken away, nothing is lost.

Shri Pataskar: I would like to point out to my hon. friends that clause 6 lays down the requisites of a valid adoption. It says:

> "the person adopting has the capacity and also the right to take in adoption".

Turning to clause 7, it says,

> "Any male Hindu.....has the capacity to take a son or daughter in adoption".

That is capacity. My hon. friends will see that a female Hindu has also the capacity to adopt. Capacity is one thing. A man who is a major, for instance, can take in adoption. He has got the capacity to take in adoption. In clause 11, it is said, where there is a son, he cannot adopt another son. When he has the capacity, he has not got the right. In order to see that there is no ground for argument subsequently, we say here that no adoption shall be valid unless the person adopting has both the capacity and the right to take in adoption, because capacity is something different from right. That capacity is there inherently. But, he has not got the right because he has one son living. That has been provided subsequently. I think my hon. friends will see that there is no superfluity. It was there in the original law. So far as this matter is concerned, there is no difficulty. We should not leave any ground for subsequent argument.

Shri K. P. Gounder: May I point out that there is also clause 6 (iv) which says:

> "the adoption is made in compliance with the other conditions mentioned in this chapter."

Shri Pataskar: What is the harm? I do not understand it at all.

Mr. Deputy-Speaker: Need I put the amendment to the House.

Shri K. P. Gounder: Not necessary. I do not press it and beg leave to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. Deputy-Speaker: The question is:

> "That clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill.

Clause 7— (*Capacity of a male Hindu to take adoption.*)

Shri Tek Chand: I beg to move:

Page 3, line 29—

after "living" *insert* "with him".

[Shri Tek Chand]

In this connection, you will notice that clause 7 lays down the capacity of a male Hindu to take in adoption. That capacity of his so far absolute is now restricted in so far as he is called upon to obtain the consent of his wife, except where the wife has renounced the world or is of unsound mind. I have one fundamental objection and that is this. If a son is being brought into being in the family by the process of adoption, then it is due to the subjective state of mind of the adoptive father. The consent of the wife is not necessary. But supposing you think that consent is necessary, you have made it into a fruitful source of litigation by not laying down that that consent should be in writing. There will be endless disputes, and wherefrom are you going to get evidence that the wife had given her consent while chatting with the husband one day, and she says no now. You are not going to prove it. If it is necessary and you insist on consent, then that consent must be in writing.

The third difficulty is that the position as it is is indefensible. I put it to the hon. Minister that he should allow his head to rule his heart and not his heart to rule his head. He should not be swayed by sentiment, but he should be influenced by logic. I put it to you that Mr. A has got a wife Mrs. A, but on account of quarrels she is living separately from him. There is no divorce, but she has separated. Mr. A wants to adopt a child. You insist that the consent of the separated wife, who has no intention to live with him, who goes for him hammer and tongs, should be obtained. She may not be on speaking terms. Therefore, my amendment is that after the words "provided that if he has a wife living" you should insert the words "with him". If the lady is living with him, both of them should consent. After all, if the child is to be adopted, the child is to be the child of both, and the child needs an adoptive father as well as an adoptive mother. But if the lady is living separately, how is she interested whom her husband adopts? She is not going to live under the same roof. Therefore, it will be desirable that you should not insist on the wife's consent in the circumstances I have mentioned. You may insist upon the consent of the wife who happens to be living with her husband.

Mr. Deputy-Speaker: Amendment moved:

Page 3, line 29—

after "living" *insert* "with him".

Pandit Thakur Das Bhargava: With regard to the first amendment, I have to submit for your consideration that as a matter of fact this rule that the wife should consent, is a wrong rule in this way. In regard to separated women, Shri Tek Chand has brought out very forcefully that such a wife will never give her consent, and therefore the right which we have given will be infructuous or meaningless.

The hon. Minister while replying to the general discussion said that one Member in the Rajya Sabha said that he wanted to take a girl in adoption, that another lady Government servant came to him and said that she wanted tao take girl in adoption and that he was so influenced.....

Shri Pataskar: Not that I was influenced, but there are many other cases. I could not cite all of them here.

Pandit Thakur Das Bhargava: Let us say there are hundreds of such instances and therefore he concluded: why should the reasonable expectation of these persons.....

Mr. Deputy-Speaker: He was reinforced in his conviction that this should be there, not that he was influenced and brought in this provision because two persons approached him.

Pandit Thakur Das Bhargava: I will be more generous. I will say there were a thousand or ten thousand people who brought this thing to him and insisted that they should be allowed to adopt girls. Whether he gives the examples or not, it is not that in no case a person would want to have a girl adopted. I am not of this view, but my humble submission is that there are thousands and lakhs of people whose wives will never consent. There are thousands and lakhs of wives who want to adopt girls as daughters and tthey have no right today to do so. He has not given any right to married women. He has deprived them of that right, discriminated there between unmarried and married women and widows. The urge for children may be as much strong in a married woman as in an unmarried woman or in a widow. It depends on the circumstances.

Then, as my friend said, if the wife is living with the husband, it is probable that she might consent. I would go further and say that a wife and husband may have different points of view while even they are living together. They may not be liking the same son and the same daughter. One may be repugnant to the daughter, and the other to the son. Now, you are allowing separate property to wives. Wives will succeed to their parents. Wives shall have property and husbands shall have separate property. So, there is absolutely no reason in restricting married wives or husbands in any manner whatsoever. The previous conception that a boy was born with a view to see that the father is saved from *naraka* etc., has died out, it no longer holds the field. The only question is that it is a secular adoption. So I fail to see why the hon. Minister who is so anxious so far as the inclinations and the urges of people who want to adopt girls is concerned, should not be equally anxious for all those women who are equally anxious to adopt sons but who have the misfortune to be in a married state. If you take the census of the whole of India not to speak of the countries abroad—he has referred to other parts of the world also in which there are rights to adopt girls or boys—I would say the number of people who have separated or are in the course of separation, who do not live together and who do not care to bring about divorce etc., is extremely large, and in all humility I would beg of him to consider, if he wants to bring another Bill or something like that, that every person whether he is married or unmarried should be given independent right to adopt. Those principles of the Hindus which were the very foundation of this adoption have been, so to say, bidden farewell to. I am happy, I am not complaining, but I am submitting this to him very seriously. Having done away with the sacerdotal adoptions and having made it secular, I should think there is absolutely no reason why we should restrict the rights of the husband or that of the wife. In fact, we are committing a great wrong and we are discriminating between this and that man or persons in a special state, married or unmarried state. We are making all these things wrongly in this way.

Adoption is a personal relationship. It means that the adopted son is transferred to the family of the adoptive father. What is the difference here between sacerdotal adoption and secular adoption? When an adopted person is transferred to the adoptive father's family, it means his rights in the natural family are extinct and he is not to be a son of his natural father in the future. Now, this being so, what happens? Every person is the owner of his own property. My hon. friend has rightly brought about in the Succession law a state of things in which the Hindu joint family will moulder down and the expectations are that in the coming future there will be no joint family. As soon as a person is adopted, he should become a member of the joint family, a coparcener and he should have rights in property,

[Pandit Thakur Das Bhargava]

but not according to this law. According to this law any adopting person keeps to himself the fullest rights and power to disinherit the adopted person, and similarly if he likes he can bring in more people into the family. He not only adopts a son but also imposes a sister on a brother and similarly if he adopts a girl, imposes a brother on the sister without the will of that brother or sister. Now, the brother may be older; he may be a major 50 years old, and the father may be 70 years old, and he may have had some quarrel with his son; he will adopt a daughter and impose a new relation on the existing family without their consent and interpose a new heir where previously there was none.

I am submitting that in the present condition of things it is quite necessary that you should take away this veto of the wife and give the wife the power to adopt independently of the husband, so that both can do what they like and adopt sons or daughters. The conception of an adopted son being the joint product of the husband and the wife has to go away.

Mr. Deputy-Speaker: Normally, the rule is that one Member finishes and then only the next Member speaks.

Shri Tek Chand: This is an abnormal provision and that is why there is this abnormal practice.

Shrimati Jayashri (Bombay-Suburban): The separation of the husband and the wife does not sever the connection from the family.

Shri Tek Chand: Virtual connection.

Pandit Thakur Das Bhargava: I could not follow what the hon. Member said.

Mr. Deputy-Speaker: The hon. Member may continue his argument.

Pandit Thakur Das Bhargava: If my hon. friend repeats the question, I am prepared to answer her.

Mr. Deputy-Speaker: The hon. Member might continue. There is no question to be answered.

Dr. Ram Subhag Singh (Shahbad South): She said that separation did not sever the connection from the family.

Pandit Thakur Das Bhargava: The hon. lady Member has said that even if there is separation...

Shrimati Jayashri: Not divorce.

Pandit Thakur Das Bhargava: She has stated that separate living would not sever the family. Is that all?

I would submit that in the other law, namely the law relating to succession, we had a curious phenomenon, that a person who was congenitally and absolutely impotent could breed a son. In that Bill, we had said that a person who was not the real father of a son or a girl could have fatherhood imposed upon him. At that time, I had submitted that we were going against nature. And today, what do we find? The original conception was that an adopted son was considered to be the joint product of the husband and the wife. But what are we getting now? An unmarried girl can also be a mother. So far as the Hindu law is concerned, we have given it the go-by. Either keep the Hindu law and keep the original thing or change it as I am suggesting. We do not want hybrid law. I can understand if you have given it the go-by, and an unmarried woman can also adopt a son. What is the difficulty? I would, therefore, submit that we are driven by logic to a position in which a man and a woman, a husband and a wife are, for this purpose,—as for the purpose of holding property separate entities; and they should be regarded as such. Otherwise, you will be doing great injustice to those people whose wives are separated from them or to those wives who are separated from their husbands, and who are not even given the right or the capacity to adopt sons. That is wrong.

Mr. Deputy-Speaker: If the wife adopts separately and the husband adopts seperately, then both the adopted sons would be brothers to each other.

Pandit Thakur Das Bhargava: That will be a personal relationship, as in the appointment of a heir. But there is no transference, according to Hindu law. Now, suppose an Ahir girl and a Jat boy are adopted by the same parents, or rather by the father, and the mother who has got no right to adopt, also adopts another set while she was unmarried or widow. Will they not be sisters or brothers though not born of the same father?....

Mr. Deputy-Speaker: A Jat boy and and an Ahir girl may become brother and sister under this law. But at least there is consent of both.

Pandit Thakur Das Bhargava: You say, consent of both. But whose consent? Certainly not of brother and sister.

Mr. Deputy-Speaker: Of the husband and the wife.

Pandit Thakur Das Bhargava: Where is the wife's content? There is no separate wife's consent.

Mr. Deputy-Speaker: At least, the parents have concurred in that relationship, which is brougth about. But, according to the hon. Member's conception, a Jat boy and an Ahir girl might be imposed as brother and sister without the consent.

Pandit Thakur Das Bhargava: Today marriage can take place between a Jat and an Ahir, a Jain and a Sikh, a Sikh and a Hindu. In adoption also, we can have the same thing. Formerly, only persons from the same caste or the same religion and so on could be adopted. But we have given that the go-by. That it all right. I am in favour of it. I am only saying that it should be enlarged further and liberalised further, so that we may some to a position when the father may have separate adoption, that is to say, the husband may have separate adoption and the wife may have separate adoption. At least, the wife should not be given the power to control the husband, even if she is living in England and the husband is living here. She may have separate living in England, but she should not be given the power of veto.

Mr. Deputy-Speaker: The lady Members are taking strong objection to the hon. Member's remarks...

Some lady Members: We are.

Mr. Deputy-Speaker:...that the mother should not control the father even though she be living in England.

Pandit Thakur Das Bhargava: It is good that we have accepted their views.

Shri A. M. Thomas (Ernakulam): It is *Kaliyuga*.

Pandit Thakur Das Bhargava: So far as adoption is concerned, I want to go even further than they want to go. They are all thankful to the Minister for having given these powers of adoption of girls, but they do not realise that while he has liberalised the law there, he has taken away the equality from the ladies. The ladies do not realise that he has discriminated between husband and wife. The husband is given the right to adopt, but the wife is not given the right to adopt; the wife is given only the power to veto. There, the equality is finished. Not only in this matter, but in many other matters, this sort of discrimination has been made. I shall have occasion to show this, as the Bill proceeds further.

श्रीमती शिवराजवती नेहरू: उपाध्यक्ष महोदय, इस विधेयक में यह जो नियम बनाया गया है कि अगर पिता किसी बच्चे को गोद ले, तो वह अपनी बीवी की इजाजत से ले, वही इस में एक अच्छी चीज है—उत्तम चीज है, क्योंकि स्त्री पुरुष की अर्द्धांगिनी होती है और घर की मालकिन होती है । आप जानते हैं कि यदि उसकी इच्छा के बिना घर में कोई काम होता है, तो घर में कितनी बिटरनैस और अशांति फैल जाती है । पिता बच्चे को गोद लेगा, लेकिन उस बच्चे को पाले पोसेगी तो माता ही ।

उपाध्यक्ष महोदय : अब यह कहा जा रह है कि जब अशान्ति पहले ही मौजूद हो और दोनों अलाहिदा अलाहिदा रहते हों···

श्रीमती शिवराजवती नेहरू: मुझे मन्जूर है कि तब कन्सेन्ट की आवश्यकता नहीं है। लेकिन अगर वे इकट्ठे रहते हों, तो वाइफ की रिटन कनसेन्ट ली जानी चाहिए। मेरा मत तो यह है कि स्त्री को गोद लेने का अख्तियार पति की आज्ञा से हो और पुरुष की स्त्री की आज्ञा से।

पंडित ठाकुर दास भार्गव : लेकिन अगर दोनों अलाहिदा रहते हों, तो ?

श्रीमती शिवराजवती नेहरू : तब तो बात ही दूसरी है। तब तो पुरुष और स्त्री अपनी अपनी पसन्द से गोद ले सकते हैं और उस अवस्था में आज्ञा लेने की आवश्यकता नहीं है।

Pandit Thakur Das Bhargava: She supports me.

श्रीमती शिवराजवती नेहरू: इस विधेयक में जो कनसेन्ट की बात कही गई है, वह तो उस अवस्था के लिए है, जबकि पति और पत्नी इकट्ठे एक कुटुम्ब में रहते हों और उन दोनों में मेल हो। अगर वे अलग अलग हो गए, खाविन्द ने बीवी को छोड़ दिया या बीवी ने खाविन्द को छोड़ दिया, तब तो बात ही दूसरी है। लेकिन अगर वे इकट्ठे एक कुटुम्ब में रहते हैं तो दोनों की कनसेन्ट से जो बात हो, वह ज्यादा अच्छी और उत्तम है और उसी में उनका और कुटुम्ब का हित है। अगर स्त्री की कनसेन्ट के बिना कोई बात की जाय, तो वह उस कुटुम्ब के लिए दुखदायी ही हो सकती है, सुखदायी नहीं।

Shri Pataskar: This is a very simple clause which has been subjected to much of unnecessary criticism, for the simple reason that under the law as it stands, when a husband and a wife are both living together, that is, living a married life, it is only the husband who has got the right to take a son in adoption. The only change that is made is that in order that the family life might continue smoothly, if the husband has to adopt, he should take the consent of the wife.

But, I am asked, 'Why are you depriving the wife also of taking adoption when the husband is living?'. My reply is simply this. So far as our society, as it stands at present, is concerned, I think adoption is generally made when both are living; I think if both of them agree, then, naturally, there will be no trouble. If adoption is to be made, I do not think there can be one adoption by the husband and another adoption by the wife, as has been suggested. That is simply trying to subject this legislation to ridicule, because one may not like it. Leaving aside the idea of ridiculing the provision, if we wisely try to understand what is at the basis of it, we find that the basis is as follows. Supposing a husband and a wife who are married have, unfortunately, no son or daughter, and they want to adopt, the, is it not in the interests of both that they should jointly take somebody in adoption? Otherwise, it will lead to all sorts of querrels. That is why provision is made here that if the wife is living, husband should take her consent.

15 hrs.

I have heard the hon. Member very patiently. Let us try to be simple. In the case of both the husband and the wife, if they want to adopt, let the husband do it. The wife is not given the right. It is true to this extent that I am not getting far enough. I do not want to go, nor will it be desirable in the interest of the society to go so far. I want that it is primarily the husband's business to adopt a son or daughter.

Mr. Deputy-Speaker: The objection was this: Can it be concieved that the consent would be forthcoming when the wife is living separately?

Shri Pataskar: That question was put by my hon. friend, Shri Tek Chand. If the wife is living with him and generally in 99 cases out of 100 so long as the wife is not divorced, then she will no longer be the wife; there may be a conflict and she will be leaving. There might be instances in which the husband may have get a judicial separation or divorce and the wife may say that she is leaving because she does not agree with the husband. We do not want in such cases to do something which would permanently create this disunity. Normally we do not expect it to come up to the level of judicial separation or divorce. There may be very few cases of this kindfl Then my hon. friend may say she has claimed maintenance. Then I would say that if we impose this condition of living, I do not know what the consequences will be with the society as it is now constituted. The husband may say that the wife is not living with me—she might have gone somewhere—and therefore I am adopting.

Let us look at the things in a normal way. I do not think that the provision made here can be adopted, namely, that if the wife is leaving there may be hardship. Supposing she is living separately and getting maintenance, she may not consent to have a boy and by this adoption may be prevented and beyond that nothing will happen.

श्रीमती शिवराजवती नेहरू : रिटन कंसेंट होनी चाहिए ।

Shri Pataskar: If we want to make a provision like this, that she must be living with her husband at a particular moment, I do not know how many complications will arise. Let us look at the provision in this way: we are enacting law and we do not look for exceptional cases.

Mr. Deputy-Speaker: Here the hon. Minister is ignoring a situation where all Members, males and females in the House agree about the wife and the husband living seperately.

Shri Pataskar: They do not agree. My hon. sister sitting there takes an impossible stand at times or gets emphatic at one thing or the other. Otherwise she is fully in agreement with the general principle, namely, that we should not do anything which will disrupt the families on the question of 'adoption'.

Mr. Deputy-Speaker: I think we have dealt with this matter sufficiently I think the hon. Member is not pressing his amendment.

Shri Tek Chand: I beg leave to withdraw my amendment.

The amendment was, by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

> "The clause 7 stand part of the Bill."

The motion was adopted.

Clause 7 was added to the Bill.

Clause 8—(*Capacity of a female Hindu to take in adoption*)

Shri K. P. Gounder: About this clause, I have tabled amendment No. 15 to correct some grammatical errors. I have also told the draftsman about them. I think the word 'who' should come after (a), (b) and (c), and it should be "whose marriage" and "whose husband" instead of "the marriage" and "the husband". These are some grammatical mistakes, which the draftsmen may kindly correct. The clause as it is reads thus:

> "Any female Hindu who—
>
> (a) is of sound mind,
>
> (b) is not a minor, and
>
> (c) is not married, or if married, the marriage has been dissolved or the husband is dead or has completely and

[Shri K. P. Gounder]

> finally renounced the world or has ceased to be a Hindu or has been declared by a court of competent jurisdiction to be of unsound mind has the capacity to take a son or daughter in adoption."

I do not think the clause, as it is, is correct.

Shri Pataskar: It is all right as it is.

Mr. Deputy-Speaker: If that is grammatically wrong, that can be corrected.

Shri Tek Chand: I beg to move:

> Page 4, line 1—
>
> *for* "female Hindu" *substitute* "Hindu femole".

So far, I have been espousing the cause of justice and fairness. Now I wish to espouse the principles of grammar. The word "female" is an adjective. I want for the words "female Hindu" the words "Hindu female" should be substituted. Please do not be hard on 'poor' grammar. Let the words be 'Hindu female'. If you allow the words "female Hindu" to remain you effeminate the entire Hindu community. Therefore, let the females have their sway on every thing. Let the Hindus not be exclusively of the females. Therefore, I hope, that out of consideration for grammar, you may substitute the words "Hindu female".

Then I come to clause 8 (c) which reads as follows:

> "is not married, or if married, the marriage has been dissolved or the husband is dead or has completely or finally renounced the world or has ceased to be a Hindu..."

Now, I take strong exception to the words "finally renounced the world or". A man only renounces the world when he ceases to breathe and not otherwise. Take, for instance. conversion. Supposing a Hindu has embraced Christianity or Islam, the question may be whether it is not final. He has become a sanyasi; he may change his mind and may renounce his 'sanyas'. When is it to be final? Therefore, the word 'finally' is absolutely unnecessary. You might say "has renounced the world", the word "completely" is there. I do not take exception to the word 'completely' but to the word 'finally',

I have got serious objection, because it is meaningless it ought not to be there and your intention is conveyed properly if you omit this word.

Shrimati Sushama Sen: After renounching the world, he may come back. That is why the word "finally" was put.

Mr. Deputy-Speaker: Where is the guarantee that he would not come back? 'Completely' is quite sufficient, but let the hon. Minister choose for himself.

Shri Pataskar: My hon. friend did not object when we used the words "male Hindu" and I therefore think that if one grammatical mistake, if at all, has been committed, let us continue it there, even if it is mistake.

Pandit Thakur Das Bhargava What about the words "Male Hindu" in clause 7?

Shri Pataskar: So far as grammar is concerned, I do not claim that my hon. friend's authority is final in this respect and the word "female" is an adjective which could be used.

Finally, in the case of an adoption by a woman of a son or daughter, you will find from the Rao Committee's report that people renounced the world temporarily, i.e., for 3 or 6 years. My hon. friends who are interested will find the details mentioned there. We have used the word that it should not be made an excuse. I know of a case of a *Trigan da Sanyasi* who renounced the world and came after some time, but his wife took somebody in adoption; "The word finally" is used in that sense. Otherwise, I think the whole clause should stand as it is.

Mr. Deputy Speaker: I take it the hon. Member is not pressing his amendment and I need not put it to vote.

Shri Tek Chand: Yes, Sir.

Shri Bansilal (Jaipur): I only wish to bring one point before the House and that will be clear by reading clause 8, 10 and 14 together. Clause 8 reads as follows:

"Any female Hindu who—

(a) is of sound mind,

(b) is not a minor, and

(c) is not married.....has the capacity to take a son or daughter in adoption."

Then clause 10(ii) reads as follows:

"he or she has not already been adopted."

Finally clause 14(4) says:

"Where a widow or an unmarried woman adopts a child, any husband whom she marries subsequently shall be deemed to be the step-father of the adopted child."

My argument is that if a woman makes an adoption and gets herself married afterwards, then the position is the wife has adopted the boy or the girl as the case may be.

But what is the position of the father? He becomes a stray father. Why should he be a stray father? He should be adoptive father. Sub-clause (4) of clause 14 says:

"Where a widow or an unmarried woman adopts a child, any husband whom she marries subsequently shall be deemed to be the step-father of the adopted child."

Then there is another difficulty. Clause 15 says:

"No adoption which has been validly made can be cancelled by the adoptive father or mother or any other person, nor can the adopted child renounce his or her status as much and return to the family of his or her birth".

The words used are: "adoptive father or mother or any other person". That means the step-father can renounce. If any boy or girl is adopted by a women and then the marries, what is the position of that adopted child. The father, who is the step-father, can renounce. So that will lead to a lot of trouble.

So my suggestion is that under clause 10, it should be provided that in case a wife or a female adopts a child, the husband should be able to adopt the same child, and there should be no bar to it.

Mr. Deputy-Speaker: But what has this got to do with clause 8 which we are now considering?

Shri Bansilal: Clause 8 is connected with clauses 10 and 14. Here it is said:

"Any female Hindu who is not married or if married, the marriage has been dissolved or the husband is dead or has completely and finally renounced the world or has ceased to be a Hindu or has been declared by a court of competent jurisdiction to be of unsound mind, has the capacity to take a son or daughter in adoption".

Mr. Deputy-Speaker: But what has that got to do with clause 8.

Shri Bansal: What I mean is that if a child is adopted, there should be no bar under clause 10.

Mr. Deputy-Speaker: Let clause 8 be adopted first; then we will come to clause 10.

Mr. Bansilal: I will speak when clause 10 is taken up.

Pandit Thakur Das Bhargava: I also want to understand it. Let us suppose that there is an unmarried man, a bachelor, who adopts one son and one daughter. There is an unmarried woman, who also adopts one son and one daughter. Subsequently they get married. What would happen Four children will

[Pandit Thakur Das Bhargava]

come into the family, not related to each other, not belonging to the same caste, belonging to the south, north, east and west. Then do they become brothers and sisters? How will their relations and succession be adjusted in their after lives when they get married and make similar adoptions That is the point made by my hon. friend.

Mr. Deputy-Speaker: That will be discussed when we come to clause 10.

Pandit Thakur Das Bhargava: This is based on clause 8. He thinks that clause 8 should not be enacted. He is opposing it because it will lead to confusion.

Mr. Deputy-Speaker: Opposition can be effected by vote.

Pandit Thakur Das Bhargava: He is only making the point by an illustration. He feels that clause 8 should not be passed.

Shri Pataskar: There is no confusion.

Mr. Deputy-Speaker: The question is:

"That clause 8 stands part of the Bill".

The motion was adopted.

Clause 8 was added to the Bill.

Clause 9— (*Persons capable of giving in adoption*)

Shri Tek Chand: I beg to move:

(i) Page 4, line 10—

omit "or mother or the guardian".

(ii) Page 4, line 10—

omit "or the guardian".

(iii) Page 4, line 14—

after "consent" *insert* "in writing".

(iv) Page 4, line 14—

after "mother" *insert* "living with him".

(v) Page 4—

omit lines 22 to 35.

(vi) Page 4, line 38—

after "mother" *insert* "or step father and step-mother".

(vii) Page 4—

omit lines 39 to 41.

Clause 9 is a very important clause. In dealing briefly with each of these amendments, I have certain submission to make.

Clause 9 deals with that aspect of the case where a child is to be torn away from the family, where the tie with his little brothers, with his little sisters and with his parents is going to be cut as under. The question, therefore is: this being a serious matter, upon whom do you propose to confer the power that he should be able to transplant his child into another family whereby cutting all ties from the natural family, from his blood brothers, blood sisters and other relations? And in your generosity and misconceived magnanimity, the provisions of law have been taken, I say so with great deference and humility, to absurd lengths. You permit not only the father, not only the mother, but even a guardian to get hold of his ward, and shove him into the lap of another person, may be man or woman. This power is conferred upon

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*In clause 8, the following corrections were made as patent errors under the direction of the Speaker:

(i) the word "who" after the word "Hindu" was omitted;

(ii) the word "who" was inserted after "(a)", "(b)" and "(c)" respectively; and

(iii) the words "the marriage' and "the husband" were substituted by the words "whose marriage" and "whose husband" respectively.

the guardian, regardless of the fact whether that guardian is the testamentary guardian approved of by the father or he is a court guardian. Therefore, upon any official, may be the Registrar of the Court, whether he happens to be a guardian of the person of the ward or of the property of the ward, you confer the right that he can get hold of the little child and throw him into the lap of anybody. Perhaps the hon. Minister might say: 'Oh, no. The safeguard is the permission of the Court'. That, I submit, is practically no safeguard.

Kindly take into consideration the illustration that I wish to give.

Shrimati Jayashri: May I point out to sub-clause (2).....

Shri Tek Chand: I am not giving way. I was chivalrous not to interrupt her. Let me not be interrupted now.

Mr. Deputy-Speaker: The hon. Member is not giving way. The hon. lady Member should not interrupt.

Shri Tek Chand: I know what the sub-clause provides.....

Mr. Deputy-Speaker: When the hon. Member is not prepared to give way, he should not address the hon. lady Member.

Shri Tek Chand: I am only looking at that side, but addressing you.

Mr. Deputy-Speaker: I am entitled to the look of the hon. Member as well.

Shri Tek Chand: I was citing an illustration. Let us assume that there is a child playing with his little brothers and with his little sisters, but an orphan child. The guardian gets hold of him and hands him over to somebody, may be a pauper, may be anybody. He has got to make some sort of statement to the court. And, remember, once permission is granted, it is irrevocable. Once a child is taken in adoption, the adoption becomes irrevocable. There is no *locus paenitentiae*, there is no going back. That power is being conferred upon the guardian. The only safeguard, according to the hon. lady Member, is that permission of the court is necessary. Permission may be given rightly permission may be given wrongly, permission may be given incautiously. Once permission is given, it is the final thing. The future life of the child is sealed, for good or for evil. His brothers cease to be brothers, sisters cease to be sisters etc.

Let us assume that there is a single orphan, brotherless, sisterless and parentless. Suppose that child has a rich uncle, and the guardian, in order to deprive that child of the inheritance from the uncle before the uncle gives anything to his nephew, says: 'All right. He is taken away and put in the lap of that lady or that person'. What happens? The child is deprived of that inheritance. The child has no say in the matter, no voice in the matter.

When it comes to adoption, be liberal by all means, but when it comes to tearing the child and giving him away in adoption into another's lap, be circumspect, be careful. Therefore, confine this right to the father and father alone. But if in your magnanimity you want to extend it, by all means extend it to the mother, but do not let this guardian fellow have anything to do with the child. He can blast and blight his future.

Shrimati Jayashri: What about orphans?

Shri Tek Chand: So far as my next amendment, regarding the consent of the mother, is concerned, I submit in all humility that the framers of this Bill have tripped themselves badly. If in the earlier case it escaped your attention that it may be a 'separate' wife whose consent is necessary, so far as mother is concerned, she may be a divorced mother, divorced from the child's father. Take an example. Mr. A and Mrs. A are married. There is a divorce and before the divorce, there is a little child. After the divorce, Mrs. A

[Shri Tek Chand]

marries Mr. B and becomes Mrs. B. The idea is to give away that child; it may be in good family. The father may want to give the child. The mother is married to Mr. B. You insist that her consent should also be taken. Pray why? There you insisted that in the case of persons who were separated, consent was necessary. Here you are insisting that though the father and mother are divorced, yet the consent of the mother must be there. There is no answer. Examine the matter closely.

Lastly, if consent is necessary then, pray, insist that the consent should be in writing, because the consequences can be very serious. A child is adopted today and 15 or 20 years hence, when there is a dispute about inheritance the question may arise that he is not an adopted child. There may be no proof of consent; the proof may be valid but it may be unavailable. What about the fate of that child? It may be that there was no consent; if there was no consent, then, according to my hon. friend the Minister, he has a right in the natural parent's family. But, if in the meanwhile that property is gone, has been alienated or has been transferred, what satisfaction is it? The adption has been disproved after the passage of 15 or 20 years and the property to which he might have been entitled in that eventuality has disappeared, because it has been alienated or sold. What satisfaction is there? Therefore, if you want that there should be consent, then, see that the consent is there in writing, preferably by a registered document. But this oral consent of which proof may or may not be available, ought not to be there.

In other place, I wanted to have the expression, 'living with him'. I am sorry that that endeavour proved futile. They tried to scoff at the expression, 'living with him'. It is not living with him all the 24 hours of the day. 'Living with him' has got some legal connotation and a certain meaning from which you get the word 'cohabituo,—from which again you have the word 'cohabitation', which means living under the same roof as husband and wife. Therefore, in the case of the mother, there is my amendment worthy of acceptance that the consent is of that mother only who happens to be living with the father at the time so that the two of them may think together.

It will be here relevant to say that there ought to be doctrine of *factum valet*. To that sufficient imoprtance was not given by my friend the hon. Minister I could not then rise after having made my submission. But this point is equally important under this provision also. The hon. Minister drew our attention to a passage from page 269 of Mayne's book. I also make a present to him of pages 240 and 241 of the same book, where it is said that the principle of *quod feri non debut factum valet* is examined and recognised in the law of adoption. Therefore, the *factum valet* doctrine must necessarily be adopted. Otherwise, the consequences will be most tragic for all concerned.

Then, the last unkind thing is to be found in clause 9, Explanation (i). Let us examine its scope. This right to give away in adoption is given to the 'father and mother'. By 'father and mother' is meant, persons other than the adoptive father and adoptive mother. So far as it goes, it is understandable; it is logical. I do not have any quarrel with it. I say, you should also have included with that, 'step-father and the step-mother'. The right to give away a child should not be given to the 'step-faher or the step-mother'. A man today marries a woman who has a son by her former husband. He says to the lady, 'here is an unwanted boy brought in by you; he is not my son; I am his step-father. I, as a father, therefore, decide the fate of the child. I propose to give him away in adoption to some other family'. Similarly, the same right is being conferred upon the step-mother. They are the two

persons who ought to be excluded. The only person who should be permitted to give away a child in adoption should be the father—and utmost the mother—the natural father and the natural mother; but not the step-father and the step-mother. Therefore, in my amendment No. 47, I say, you should insert after the words 'adoptive mother' insert 'or step-father and step-mother'. Remember that havoc will be played so far as the step-child is concerned, if you deprive that child even of one parent. Here is an unwanted child. Get hold of the wife; persuade her by sweet words and remove the child, and put the unwanted step-child into the lap, of, perhaps, somebody who might have been brided or inveigled or otherwise persuaded. Thus the step-father is being given the power to develop the step child even of the parental protection of his or her natural mother.

श्रीमती शिवराजवती नेहरू: सारी रामायण इसी पर है। इसी तरह तो राम को चौदह वर्ष का वनवास दिया गया था।

Shri Tek Chand: I could welcome this interjectional if it had fallen from the lips of the hon. Minister. Unfortunately, it is not. I wish he could be persuaded. Today I find that all my powers of persuasion seem to be in vain. But, I do hope that whatever I have submitted in all humi- and with all the vehemence at my command deserves his ready and sympathetic acceptance.

Mr. Deputy-Speaker: Amendments moved:

(i) Page 4, line 10—

omit "or mother or the guardian".

(ii) Page 4, line 10—

omit "or the guardian".

(iii) Page 4, line 14—

after "consent" *insert* "in writing".

(iv) Page 4, line 14—

after "mother" *insert* "living with him".

(v) Page 4—

omit lines 22 to 35.

(vi) Page 4, line 38—

after "mother" *insert* "or step father and step mother".

(vii) Page 4—

omit lines 39 to 41.

Pandit Thakur Das Bhargava: I also want to add a word or two.

As regards this consent of the mother, the idea is that the son is the joint product of father and mother. Naturally, if we accept that proposition, the mother's consent seems to be logically necessary. But we have controverted that. In one clause the hon. Minister has said something about custom and that so far as customs is concerned, it is not necessary that the age of the boy or girl to be adopted should be less than 15. Supposing the customs approves the adoption of a boy above that age and supposing he is of the age of 18 or more; that means he is *sui juris*. Will consent be necessary in that case also? The boy is agreeable to the adoption; the adoptive parent is not agreeable. Even then will consent be necessary? Supposing the girl is married at the age of 13 or 14 and then she is adopted. Will the consent of the father-in-law or the husband be necessary? I want to know, in cases where the age of the son adopted is more than 15, whether it will be necessary to get the consent of the mother or the father even though he is more than 18 years of age? That would be wrong; that would be against the entire basis which we have accepted, namely, that so far as the major is concerned, he should not be able to give himself in adoption. There is no question of the father or the mother coming in. I can understand this if the hon. Minister had not given this loophole of custom. Now, having allowed that, he must make a provision that in case the boy

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is more than 18—or even the girl—then the consent of the father or the mother will not be necessary. This is one thing that I wanted to bring to your notice.

Then there is another thing also. In my speech on the Bill at the consideration stage, I humbly requested the hon. Minister to kindly see that he makes a provision in respect of fondlings, that is, they must have the capacity to be adopted. Now it appears in clause 9, there is a provision about guardians. May I just humbly request the hon. Minister to find out in how many cases in this country guardians are appointed in respect of persons whose parents are not alive? He will find that it is .00001 per cent. After all, we are not all living in the cities; we are living in the villages also. The hon. Minister himself was pleased to point out with great force and very great cogency in this House that certainly fondlings are found and they are adopted. People take a boy or a girl and begin to love the young child and then adopt him or her. I only want that such things may really happen in this country and that people take to these fondlings and adopt them. But in the case of these fondlings, who will be the guardians? It is only the persons who have taken the child, kept it with them for 8 or 10 years, and then want to adopt him or her. Such a person will be the guardian if anybody can be called guardian to that child because he is the only person interested in the child, in the orphan. There is no member of its family belonging to a different caste; there may be a hundred and one things said about the fondlings, wherefrom the child has come, who are its relations and so on. Supposing there are no relations, then the capacity to adopt should be there. It is wrong to say that only such persons could be adopted who are not orphans. A fondling whose parents cannot be found is as good a subject for adoption as others. My humble submission is that in a case of this nature, you should not insist that guardians should be appointed, because in such cases there will be no guardian except the person in whose house the boy or girl is brought up. Supposing a person takes away a child from those homes, orphanages, and keeps it in his own house and brings it up, then there will be no guardian for that child. Even the manager of the orphanage will not be its guardian. He himself the proposed adopter is its guardian. It will be very difficult for the court to decide who the guardian is. In looking at the circumstances, there will be no evidence before the court as to its guardian. A person has been brought up by someone for 18 years who then wants to adopt that person; in that case where is the difficulty? This clause does not provide for such cases. I should expect the hon. Minister to kindly find out a solution to this problem, because according to him and myself, we are all anxious that the orphan may be an adoptable person. I can quote rulings in which according to the present Hindu law an orphan can be adopted by custom. Though ordinarily the giving and taking is there, still custom has made a provision by virtue of which even the Privy Council has decided that an orphan was adoptable.....

Mr. Deputy-Speaker: Just a word. I want to know the pleasure of the House. We have fixed the time up to 3-30 for completing the discussion on this Bill. But as every clause was being resisted, I did not want to stifle discussion because it was a social legislation. If the House feels that we will be able to conclude within another 15 or 20 minutes.....

Sardar A. S. Saigal (Bilaspur): We can continue it on Monday; otherwise the non-official business will remain.

Mr. Deputy-Speaker: There is other business fixed for Monday and the whole programme might be upset in that case. After this clause, there are only a few clauses.....

Pandit Thakur Das Bhargava: There is another important subject which has to be considered—maintenance.

An Hon. Member: It may be postponed to the next session.

Shri Pataskar: We might go on for half an hour more and extend. The sitting today by half an hour and finish this Bill today.

Mr. Deputy-Speaker: Will the House be prepared to sit half an hour late, till 6-30 today?

Pandit Thakur Das Bhargava: We will sit certainly as long as you please.

Mr. Deputy-Speaker: But we should also take upon ourselves to see that we finish this Bill by 4 o'clock.

Pandit Thakur Das Bhargava: We shall make every possible effort to see that the Bill is finished today, but at the same time we are anxious that the various provisions including maintenance provisions are thoroughly discussed because this is a very important Bill.

Mr. Deputy-Speaker: I have been allowing all possible discussion so that the Members may get full time to put forth their points. Now is it the pleasure of the House that we might continue this discussion up to 4 o'clock?

Dr. Ram Subhag Singh: Not beyond that.

Shri Dabhi (Kaira North): Some time may be divided up for the clauses to be disposed of. Otherwise, if you allow one clause only to be continued like this, we may not be able to discuss the rest.

Shri Pataskar: I would say that if we can divide the time available between the different clauses, we might be able to do some justice to them.

Mr. Deputy-Speaker: Pandit Thakur Das Bhargava may proceed now and try to conclude his speech quickly.

Pandit Thakur Das Bhargava: I very strongly support the inclusion of step parents in this explanation—for the purposes of this section, the expressions "father" and "mother" do not include an adoptive father and an adoptive mother. They shall not include a step father and a step mother. Without this, it will be very difficult because the word 'mother' includes the step mother unless specifically excluded. The explanation is certainly most difficult unless the addition is made as it confuses the matters.

Shri Pataskar: So far as this clause is concerned, it conforms to the existing law on the subject that the father can give the child in adoption and that is what is incorporated in sub-clause (2). The expression used is "if alive, shall alone have the right to give in adoption but such right shall not be exercised save with the consent of the mother....." I do not think it is inconsistent with what we have already done. Then the question comes that at the present moment it is only the father and the mother who can give the child in adoption.

I am entirely in agreement with what Pandit Thakur Das Bhargava said that so far as the existing Act is concerned, there have been complaints from fondlings, from other people and other places that as a matter of fact it is the orphan that requires parental care. At present the difficulty is that no orphan could be validly adopted because it is only the father and the mother that could give the adoption. Therefore, this matter was considered. At the same time, it is to be noted that fondlings are of various types. My hon. friend and myself have discussed this problem in respect of the Bills on children and women when were lots of complaints. Therefore, something had to be done in order to see that orphans, who require parental care, should at least be enabled to be adopted by some people. What has been done is to provide "a guardian appointed or declared by a court", considering the difficulties in the way. What will happen otherwise is this. Somebody is looking after the child and he will be the *de facto*

[Shri Pataskar]

guardian. If we allow anybody to adopt, we know people might send children, boys or girls. Therefore, we say here "guardian appointed or declared by court". Under the Guardians and Wards Act, there is a distinction beween appointed by court and declared by court. Suppose in the case of minors, the mother is a widow and is the guardian, and if she wants to dispose of some property, she can get a declaration from the court that she is the guardian. But in the case of fondlings, it is difficult to get it. We have to take into account both the things. At the same time if we want orphans to be adopted in such cases, we cannot make the law so loose that people might again misuse and face us with another problem. It is from that point of view that we should get the guardian appointed or declared by the court. We have provided:

> "Before granting permission to a guardian under sub-section (4) the court shall be satisfied that the adoption will be for welfare of the child, due consideration being for this purpose given to the wishes of the child having regard to the age....."

Then, it was pointed out with respect to the age that we have provided in clause 10 that a person is minor at the age of 15. But in certain cases persons more than that age may be adopted. I may here point out that specifically at the instance of Jains in particular, among whom, under the present law, the courts have held that even married men could be adopted, this provision was made. There was insistence that this custom of theirs should be saved. I do not know of any other custom where such people are adopted. That is why an exception has been made. I do not want that to be the rule except in the case of a particular small community where there was an insistent demand. I do not know what may happen ultimately. But, as far as clause 9 is concerned, I think it conforms to the existing law as it stands and all the fears that have been expressed need not be entertained.

Mr. Deputy-Speaker: As usual, the hon. Member, I hope, is not insisting on my putting them to the vote of the House.

Shri Tek Chand: I do not press my amendments and beg leave to withdraw them.

The amendments were by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

> "That clause 9 stand part of the Bill."

The motion was adopted.

Clause 9 was added to the Bill.

श्रीमती शिवराजवती नेहरू : I beg to move:

Page 5—

(i) line 8, *for* "fifteen years" *substitute* "seven years"; and

(ii) omit lines 9 to 11.

माननीय उपाध्यक्ष महोदय, मंत्री जी ने जो भाषण दिया था, उसमें उन्होंने यह कहा था कि इस बिल का धर्म-शास्त्र से कोई सम्बन्ध नहीं है, यह तो ह्यूमैनिटेरियन दृष्टिकोण से लाया गया है। इस सम्बन्ध में मैं यह निवेदन करना चाहती हूं कि एडाप्शन के समय हर शख्स के सामने दो मुख्य विचार होते हैं—धर्म और धन। एडाप्शन के कोई खिलाफ नहीं है और न ही कोई यह कहता है कि परलोक में सद्गति प्राप्त करने के लिए जिन बातों की जरूरत होती है, इस एडाप्शन से उनमें कोई विघन बाधा पड़ती है। लेकिन एडाप्ट करने के जो नियम बनाए गए हैं, हम चाहते हैं कि उनमें कुछ परिवर्तन किया जाय।

यहां पर यह कहा गया है कि ह्यूमैनिटेरियन विचार से यह व्यवस्था की गई है कि

सभी आयु के बच्चों को गोद लिया जा सके। इस सम्बन्ध में मैं यह कहना चाहती हूं कि अनाथालयों में जो आरफन बच्चे रहते हैं, बहुत से लोग उनको गोद लेना पसन्द नहीं करते हैं, इस लिए कि उनके माता-पिता का पता नहीं होता है। आज-कल सरकार इतने आरफनेज बना रही है, अगर उनको सहायता देती है, तो क्या उनमें उन बच्चों का पालन-पोषण नहीं हो सकता है कि इस प्रकार का नियम बनाया जाय कि पंद्रह वर्ष के बालक को गोद में लिया जा सकता है? मैं यह चाहती हूं कि गोद लिए जाने वाले बालक की आयु पंद्रह वर्ष के बजाय सात साल रखी जाय। ऐसा करने से एडाप्ट करने वाले और किए जाने वाले व्यक्तियों की आयु में इक्कीस वर्ष का अन्तर होने की जो शर्त रखी गई है, वह भी दुरुस्त हो सकती है। माननीय मंत्री जी ने कहा कि वर्तमान कानून के अनुसार बीस वर्ष की औरत पच्चीस, तीस वर्ष के पुरुष को गोद ले सकती है। शायद ऐसा होता होगा, लेकिन कम से कम हमने अपनी आंखों से तो कोई बीस वर्ष की ऐसी औरत नहीं देखी है, जिसने पच्चीस, तीस वर्ष के पुरुष को एडाप्ट किया हो। मेरा कहना यह है कि रिवाज भी एक किस्म का कानून ही होता है। यह कहा जाता है कि इस प्रकार के केसिज में लोगों के विचार शुद्ध नहीं होते हैं। मैं ऐसा विचार क्यों करूं कि कोई भी पुरुष ऐसा होगा, जो लड़की को गोद ले कर उसके साथ अन्याय करे? मैं यह नहीं कहती कि हर एक पुरुष खराब होता है, लेकिन माननीय मंत्री जी को यह सोचना चाहिए कि संसार में ज्यादातर लोग अच्छे होते हैं।

श्री पाटस्कर: वही तो मैं भी सोचता हूं।

श्रीमती शिवराजवती नेहरू: बहुत थोड़े लोग खराब और दुष्ट होते हैं, क्रिमिनल्ज बहुत थोड़े होते हैं, लेकिन उन्हीं थोड़े से क्रिमिनल्ज को दृष्टि में रख कर कानून बनाए जाते हैं। संसार में सभी चोर थोड़े ही होते हैं, लेकिन थोड़े ही चोरों के लिए चोरी का कानून बनाया जाता है। दुनिया में, हिन्दुस्तान में पहले ही कई प्रकार के व्यभिचार हो रहे हैं, तो फिर माननीय मंत्री जो ऐसा कानून क्यों बनाते हैं, जिससे लोगों को एक और लालच व्यभिचार करने का दिया जाय और उनको सुझाया जाय कि ऐसा भी किया जा सकता है। इसलिए, उपाध्यक्ष महोदय, मैं इस विधेयक की वर्तमान व्यवस्था से संतुष्ट नहीं हूं।

श्रीमती रेणु चक्रवर्ती ने कहा कि···

उपाध्यक्ष महोदय: उन्होंने जो कहा, वह बहस तो जनरल डिस्कशन में ही खत्म हो गई। माननीय सदस्या अपनी अमेंडमेंट के बारे में में कुछ कहें।

श्रीमती शिवराजवती नेहरू: उन्होंने कहा कि एडाप्शन से हमारी नैचरल अर्ज सैटिसफाई होती है। मेरा कहना यह है कि वह अर्ज तो छोटे बालक को गोद लेने से ज्यादा सैटिसफाई होती है बनिस्बत किसी बड़े बालक को गोद लेने के। उन्होंने यह भी कहा कि पंद्रह वर्ष का बालक इसलिए गोद लिया जा सके कि फर्ज करें किसी का पुत्र नालायक निकले तो वह उसकी जगह दूसरे बालक को एडाप्ट कर सके। मेरा कहना यह है कि बच्चे का पालन करने की जिम्मेदारी माता-पिता की है।

उपाध्यक्ष महोदय: माननीय सदस्या और बातों में जा रही हैं, जिन का उनके संशोधन से ताल्लुक नहीं है। श्रीमती रेणु चक्रवर्ती ने जो कुछ कहा है, वह उसका जवाब देने लग गई है।

श्रीमती शिवराजवती नेहरू: अगर वह बच्चा अच्छा नहीं निकला और वे उसको अच्छा नहीं बना सके, तो दूसरे को कैसे अच्छा बनाए रख सकते हैं—वे तो उसको भी तबाह कर देंगे।

Shri Pataskar: Sir, the age of 15 years has been put in there as a matter compromise having considered everything and I am not agreeable to this amendment.

Mr. Deputy-Speaker: The question is:

Page 5—

(i) line 8, *for* "fifteen years" *substitute* "seven years"; and

(ii) *omit* lines 9 to 11.

The motion was negatived.

Mr. Deputy-Speaker: Even the hon. Mover did not say 'Aye'.

Now, the question is:

"That clause 10 stand part of the Bill."

The motion was adopted.

Clause 10 was added to the Bill

Clause 11—(*Other conditions for a valid adoption*).

Mr. Deputy-Speaker: Now, I want the hon. Members to tell me if they want any particular clause or amendment to be discussed.

Shri Tek Chand: Clause 11 is important.

Shri Dabhi: I shall move my amendment to clause 11.

I beg to move:

Page 5—

for lines 14 to 21, *substitute*:

"(i) the adoptive father or mother by whom the adoption is made must not have a Hindu son, son's son, son's son's son, daughter or son's daughter (whether by legitimate blood relationship or by adoption) living at the time of adoption;"

Clause 11(i) reads as follows:

"if the adoption is of a son, the adoptive father or mother by whom the adoption is made must not have a Hindu son, son's son or son's son's son (whether by legitimate blood relationship or by adoption) living at the time of adoption:"

This means that a man would not be allowed to adopt a son provided he has got a son or a son's son or a son's son's son. But then, even if this man has got a son or son's son or a son's son's son, there is no bar to his adopting a female. I do not understand why this is done. If a man is prohibited from adopting a boy, if he has a son, son's son or son's son's son, I do not understand why the law allows him to adopt a daughter. I do not understand it. The whole purpose of adoption law is that if a man has not got a son or son's son or any other heir, he may adopt. If he has no heir, he may adopt either a male or a female. We have no objection to female being adopted. But it is quite absurd to say that even if a person has got a son or a son's son or son's son's son, he may still adopt a female.

Sub-clause (ii) of clause 11 is similar to sub-clause (i). Why should the law say that if the adoption is of a daughter, the adoptive father or mother by whom the adoption is made must not have a Hindu daughter or son's daughter? Why should he be prohibited from adopting a male, if he has got a daughter or son's daughter only? This sub-clause goes against the females themselves. Ordinarily, if a man has got even a son or daughter's son, he will not adopt a daughter. As it is, the sub-clauses (i) and (ii) defeat the very purpose of the Bill. The purpose is to give equal opportunities to women. In these circumstances, I say that the existing provisions are quite absurd. If you want to put in a restriction, you must do it properly. Otherwise, do not put in any restriction. A man may have any number of sons or son's sons and he may have any number of daughters also. You should allow him to adopt anybody whom he likes to adopt! There may not be any objection if you do away with all the restrictions. But once when you put

a restriction, it must be reasonable. If a man or woman has got a daughter, why should he be allowed to adopt a son? In these circumstances, I request the hon. Minister to accept my amendment.

Mr. Deputy-Speaker: Amendment moved:

Page 5,—

for lines 14 to 21, *substitute*:

"(i) the adoptive father or mother by whom the adpotion is made must not have a Hindu son, son's son, son's son's son, daughter or son's daughter (whether by legitimate blood relationship or by adoption) living at the time of adoption;"

Shri Tek Chand: I will be very brief. I only want to invite the attention of the hon. Minister to clause 11(1). It deals with certain exclusions. That is to say, in the presence of a Hindu son or grandson or great grandson, he cannot adopt a Hindu son; not only that; he cannot adopt a Hindu grandson or a great grandson. If one has a Hindu son, one cannot adopt Hindu son, but a Muslim. But when it comes a grandson, you do not insist upon the distinction that that grandson should be a Hindu. If he is a Muslim, you say you cannot adopt. Therefore, the word Hindu should cover the whole lot—son, grandson and great grandson.

Then, in the presence of nephews and daughter's son, adoption should be allowed. If there is a daughter's son, or if there is a nephew or brother's son, present and living, there should be no adoption.

Then, the distinction as envisaged in the sub-clauses (i) and (ii) and (iv) should not be there. In any case, males should not be prohibited to adopt a girl, unless the girl is a child of 4, 5 or 6 years of age.

Lastly, I take strong exception to the words "actually given", in sub-clause (vi). Please realise what the consequences are going to be now. In clause 10 (3) which we have just now passed, if custom permits a married person to be adopted, he may be adopted. Therefore, it is assumed that a man of 50, 40 or 30, even if married, can be adopted. Even if they have got children, they can be adopted, on the ground of custom. You also insist that in sub-clause (vi) they must be actually given. I say that this must be left to the parties. Picture to yourself the ludicrous state of affairs. When you are insisting upon the proper thing, you forget the "actually given" part of it and insist upon the proof of adoption by a written document. Otherwise, there will be no proof, for human memory cannot last for long, and there will be difficulties raised in great abundance.

Pandit Thakur Das Bhargava: I am glad that Shri Tek Chand has taken the same point as I did. So far as this question of "actually given" is concerned, you should delete the provision and you should insist upon a registered deed in every case.

I do not know why, the hon. Minister after passing the Succession Act and having insisted that the sons and daughters should be on the same plane says that in the presence of a son or son's son or a son's son's son, no adoption of a boy can be made. I would rather like that the daughter's son is given a place of honour and in the other case, that the daughter's daughter also is given the place of honour. If the daughter's daughter is there, there is no reason why a person should take a girl in adoption. I would raher like that the son and the daughter are placed on the same footing. Logically we have been doing it.

I may just inform my friends that in Punjab and certain other States, daughter's son is preferred and such adoptions are valid. Therefore, in the presence of a daughter's son or a daughter's daughter, a son or a daughter should not be allowed to be adopted. As it is, the provision is discriminatory as between son and daughter. Moreover I agree with Shri Dabhi. As a matter of fact, the right

[Pandit Thakur Das Bhargava]

thing would have been to allow the adoption either of a son or a daughter. Let the people choose whom to adopt. In the presence of the son or a daughter, no other child shall be adopted. To say that the daughter may be adopted or a son may be adopted or both may be adopted and putting restrictions also as in sub-clauses (i) and (2) of clause 11 is not correct. Let the adoptive father or mother choose whether it ought to be a son or a daughter. A provision to this effect would be more reasonable.

Shrimati Sushama Sen: I support Pandit Thakur Das Bhargava's point that the daughter's son and daughter's daughter should be included. The Minister, I hope, will kindly accept that suggestion.

Shri Pataskar: So far as the present provisions in sub-clauses (i) and (ii) are concerned, they are consistent with our present ideas. I think they are also correct and realistic. Even considered from all the points of view that have been put forth, I think the present provision is wholesome. There is no question of the lack of equality between man and woman. So far as the daughters are concerned, they stand on an equal footing, and there is very little difference between the son's son and daughter's son, in this context. I think a compromise has been made between all these claims in clause 11. We have tried not only to be logical but at the same time realistic in view of the existing conditions. Therefore, I do not think there is any change is called for in clause 11.

Mr. Deputy-Speaker: The question is:

Page 5—

for lines 14 to 21, *substitute*:

"(i) the adoptive father or mother by whom the adoption is made must not have a Hindu son's son, son's son's son, daughter or son's daughter (whether by legitimate blood relationship or by adoption) living at the time of adoption;"

The motion was negatived

Mr. Deputy-Speaker: The question is:

"That clause 11 stand part of the Bill".

The motion was adopted.

Clause 11 *was added to the Bill.*

Clauses 12 *to* 30 *were then added to the Bill.*

Clause 1, *the Enacting Formula and the Title were added to the Bill.*

Shri Pataskar: I beg to move:

"That the Bill be passed".

Mr. Deputy-Speaker: The question is:

"That the Bill be passed".

The motion was adopted.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

SIXTY-SIXTH REPORT

16 hrs.

Shri Nageshwar Prasad Sinha (Hazaribagh East): I beg to move:

"That this House agrees with the Sixty-sixth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 12th December, 1956".

Mr. Deputy-Speaker: The question is:

"That this House agrees with the Sixty-sixth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 12th December, 1956".

The motion was adopted.

RESOLUTION *RE* SCHOLARSHIPS FOR CHILDREN OF POLITICAL SUFFERERS—*Contd.*

Mr. Deputy-Speaker: The House will now resume further discussion of the Resolution moved by Dr. Ram

Subhag Singh on the 30th November, 1956, *re*: Scholarships for children of political sufferers.

Out of 2½ hours allotted for the discussion of the Resolution, 7 minutes have already been taken up and 2 hours and 23 minutes are left for its further discussion today.

Dr. Ram Subhag Singh may continue his speech.

Dr. Ram Subhag Singh (Sahabad South): I was saying the other day something about the persons who had supported the British Government for their continuance in India. They may belong to any party today, but at that time they organised different kinds of movements such as the movement of the Anti-national Party, War Fronts and so on, and helped the British Government. Some persons had joined the British Government as servicemen; others joined the Armed Forces; some became I.C.S. officers and so on. Those who helped the British rule got adequate rewards and when the British withdrew they got a guarantee from the successor Government for the security of those officers. The moment the British Government left the country, a vacuum was created and they got double promotion. Some of them might not have got that promotion had not the British left the country at that time. In that way they got themselves entrenched into the Government and today it has not been possible in few cases to get their order changed. I have known there are some Ministers also among them. It is very regrettable and I am mentioning this because.....

Mr. Deputy-Speaker: Even though the Member may feel like that, it is not necessary that it should be said here.

Dr. Ram Subhag Singh: It is necessary in another way, because the persons who had participated in the independence movement and actively worked for it have been neglected. According to me, this is one of the reasons why they have been neglected. They have been neglected because the Government machinery is largely controlled by persons who do not know how to help them. For instance, the persons in the Government machinery stay in Delhi or other headquarters where there are beautiful buildings, public schools etc. So, merit scholarships are now given only to the students going to public schools and not to the students who go to other schools, like basic schools. Therefore, the point which I mentioned a little earlier is relevant.

I shall say something about the persons who had actively participated in the independence movement. They may belong to any party today. At that time, some of them were hanged for various reasons. I categorise them as follows: persons who were hanged for political activities; persons who were shot at or who died inside or outside the jail, persons who were imprisoned in any of the political movements between 1905 to 1942; persons whose houses were burnt or damaged and property confiscated in any of the political movements; persons who were dismissed from service during those movements and are now helpless; and, persons who had joined the I.N.A. and are now unemployed. I am telling all this because today I accidentally met a person who had saved the lives of several persons, some of whom are today Deputy Ministers here. This is regarding one Shri Kewal Krishan Jasalmair, a promising young man. A certificate was given to that gentleman by Shri Jagdev Singh, who was Joint Secretary of the All-India I.N.A. Enquiry and Relief Committee, the Chairman of which was our revered Prime Minister, Shri Jawharlal Nehru. I will read that certificate:

This young man is from Punjab.

> "He rendered conspicuous service to the I.N.A. by handing over at personal risk, the top secret files of the then British Government to the renowned lawyer Bhulabhai Desai, who was defending the cause of the I.N.A. heroes. The courage and the sacrifice of this young man brought to light the whole secret

[Dr. Ram Subhag Singh]

of the vindictiveness of the British against the I.N.A. and they were completely non-plussed at the time, for which he had to suffer. The help rendered by this young man made the task of defending I.N.A. heroes more easier for the defence council. He shares the credit of saving many precious lives of the I.N.A. patriots from the gallows. The loyalty of this young man to this country is great."

But today that man came to me. I feel ashamed to mention it, but I am doing so because some of the persons whom he saved from the gallows are Deputy Ministers now—Shri Shahnawaz Khan and Shri J. K. Bhonsle. He came to our Party Office and requested me to send him to some doctor for his eye examination. He is perhaps not having any means of livelihood at present. What will be the fate of his children? He is having no means to send his children to school. I do not know whether he is having any children or not.....

Mr. Deputy-Speaker: He has no children.

Dr. Ram Subhag Singh: ..but there may be hundreds and thousands of persons like him who might not belong to the I.N.A., but who might have actively participated in the Congress movements of 1920, 1930 or 1942 and so on. They may not be having any means to send their children to the school. This young man, Shri Kewal Krishan Jasalmair, has received another letter also and he has been sent to some other authorities for employment. I do not know what will happen to him. I am not quite sure whether he will be provided with employment or not.

I moved this resolution, because I want to draw the attention of the House and the country to the facts which have been deliberately ignored. It may be said that it is not possible to find out all the political sufferers. It may also be said that it is administratively very difficult. It may be said that we are not having funds. All these arguments are weak, because, if the Government can prepare the rolls of thousands and thousands of Government servants, if they can prepare the rolls of thousands and thousands of refugees, the list of political sufferes also can be easily prepared. If there is no person in the Government competent to do it, they can entrust it to you or anybody else who can do it. About finance also, you know that there are so many building programmes going on. We may curtail some of the expenditure there; we can stop the big hotels that are being constructed and provide Rs. 10 lakhs or Rs. 20 lakhs or even Rs. 1 crore for for this purpose. To me, it appears, if there is a will, the finances or lists or other things are immeaterial and they can easily be arranged. So far as I notice, I notice with extreme regret that the Government have no desire that this should be done and therefore, I have moved this Resolution.

In other countries, it is not the case. Here persons who have joined our armed forces are given all facilities. Wherever a Government township is set up, either in Bhakra Nangal or Damodar Valley, immediately, a school is established there. If there is a desire, Government can easily arrange for the education of only such political sufferers who have not got any source of livelihood today. There are persons who are employed or who are having adequate sources of livelihood, I do not want that they should be included in the list.

For example, in China where I hear equalities have been restored, when the land settlement programme was going on, they made an exception in case of the workers of the Communist Party simply to honour theb. Those workers have surrendered their lands themselves. But the fact is that they did make certain exceptions to these people. Here also we should set an example in the case of persons who have saved the lives of two of our precious colleagues here, and

hundreds of other persons who might have been sent to the gallows by the British Government. In America also, all the persons who have returned from the war get these facilities. In our country, we are giving pensions to those who joined the Army in 1942. We get them settled somewhere. Our Defence Minister did that. The Soldiers Boards and other organisations come to their help. It is good that they are being helped. It do not want any discrimination to be made against any of our citizens. But, I do desire that their bare necessities must be provided to all the persons who had worked in our freedom movement. If we do not do that, all sorts of fissiparous tendencies which are raising their ugly heads will grow. If we give room to a situation where love of the country and work for the country is not given special honour, we may create a situation where all anti-national forces will dominate. I would like to draw the attention of the hon. Minister, particularly the hon. Deputy Minister who is here, the Janata Minister Dr. M. M. Das and our revered Maulana Azad. Because under his Presidentship, we all went to jail—I do not mean me,—others—and all persons sacrificed everything. He continued to be President for four or five years. He made history and we are all proud of his leadership. Today he is the Education Minister. He has provided various kinds of scholarships to different categories of students. It is all good. Because, in a welfare State we must give scholarships and we must give opportunities to all the down trodden sections of our society. If we do not give these facilities to them, it will be very difficult.

Similarly, persons who had participated in the movement and who are not having any means of livelihood, should be given the benefits of such scholarships. Funds should be created for that purpose so that the family members of these persons may realise that even after nine or ten years of freedom, here is a Government which stands for the people, which is ready to honour the martyrs, to honour Shri Bhagat Singh and Subhash Chandra Bose, or whoever has laid down his life for the sake of the country. Otherwise, some of them—I do not know everybody; I know some —are thinking that it is bad to participate in such movements. This is a very dangerous tendency. No Government or no individual who has any love for the country should allow that sort of a tendency to grow in the country. I am thankful to the Government for doing something to the poorer people. The Government must do something for these people also. Their children who are suffering all sorts of hardships should be given adequate facilities. There may not be more than 50,000 or 60,000 such children in the entire country. To give Rs. 30 or 40 by way of scholarships won't cost more than Rs. 20 or 25 lakhs. We are spending crores of rupees on one or two buildings. We may stop that programme and give these scholarships for 5 years or 10 years. In ten years, all these children will get a fair education. The Government should also see that they are absorbed somewhere. I refer to this because in absorbing such people, some difficulty is created. We must make it a point that persons who had participated in the freedom movement are given a fair deal. They should not be neglected. I believe that the Government will see the sense of this Resolution and accept it, the idea contained in it. I hope the Government will also provide enough funds for implementing the idea contained in this Resolution. With these words, I commend the Resolution for the acceptance of the House.

Mr. Deputy-Speaker: Resolution moved:

> "This House is of opinion that the Government should award scholarships to the children of such political sufferers in the country as have not got adequate source of income for their education."

There are amendments. May I know if they are being moved?

Shri Thanu Pillai (Tirunelveli): I beg to move:

"That *for* the original Resolution, the following be *substituted*:

"This House is of opinion that the Central Government should give to the political sufferers, who had participated in the freedom movement, their dependants and descendants who are in need, all assistances on similar terms and conditions and for such period as is being given to the Scheduled Castes and Tribes."

Shri Raghubir Sahai (Etah Distt.—North East cum Budaun Distt.—East): I beg to move:

That for the original Resolution, the following be substituted:

"Having regard to the very deplorable financial condition of most of the political sufferers in the country, the Government in the opinion of this House, should not only make provision for imparting education free to the children from primary to the university stage, but also award scholarships in suitable cases."

Pandit D. N. Tiwary (Saran South): I beg to move:

That for the original Resolution, the following be substituted:

"This House is of opinion that a Committee be set up to enquire into the condition of Political Sufferers and to suggest ways and means to help their dependents".

श्री भक्त दर्शन (जिला गढ़वाल पूर्व व जिला मुरादाबाद उत्तर पूर्व) : उपाध्यक्ष महोदय, मैं अपने संशोधन संख्या ५ और ७ प्रस्तुत करता हूं

(1) That after the words "political sufferers" the following be inserted:

"of all categories."

(2) That after the word "education" the following be added:

"and should make education free for all of them at least up to the Higher Secondary stage."

Mr. Deputy-Speaker: Shri Ramachandra Reddi is not here.

Shri Ram Das (Hoshiarpur—Reserved—Sch. Castes): I beg to move:

That before the word "education" the following be inserted:

"professional, scientific and technical".

Mr. Deputy-Speaker: The Resolution as well as the amendments are now before the House for discussion.

We have about two hours. May I know the time that would be required by the hon. Minister?

The Deputy-Minister of Education (Dr. M. M. Das): Fifteen minutes.

Mr. Deputy-Speaker: I have got nine names here. Perhaps there may be others who may like to speak but who have not given their names. (Some Hon. Members stood up.) That is, six besides the nine. Would the hon. Members like me to put a limit of ten minutes?

Some Hon. Members: Ten to fifteen minutes.

Mr. Deputy-Speaker: Then I would be able to accommodate only 6 members. Ten minutes should suffice normally.

Shri H. N. Mukerjee: (Calcutta North East): Mr. Deputy Speaker, I have great pleasure in supporting the Resolution which has been moved by my friend Dr. Ram Subhag Singh and I do hope that the Government will be in a position to accept it, and if it becomes necessary to alter the language of the Resolution, I am sure a great deal of assistance could be had from some of the amendments which are also being discussed in this House at the moment. I do feel that on a subject of this description, the House should express its unanimous vote.

Dr. Ram Subhag Singh has rightly pointed out that there is, in our country a tendency to forget the genuine political sufferers of the anti-imperialist period. Perhaps the trappings of office require people of a different

type, but that should not mean that we should ignore those who suffered the greatest in the cause of the freedom of our country. I say this because those who joined the struggle for India's freedom were necessarily compelled to neglect their family and the result has been that many of them today are ignored particularly because perhaps out of self-respect they do not always wish to cultivate the persons in authority. And I submit that it should be the duty of Government on the advice of public organisations to find out these political sufferers and not wait for applications to be made by them, applications which I am sure many of them find to be out of tune with their sense of self-respect.

I have had the rather doleful experience of having encountered a number of refugees in West Bengal who were connected for a very long time with the freedom movement since the early days, and I know how I was driven so to speak from pillar to post with their petitions for assistance which I forwarded to the Minister of Rehabilitation and even to the Prime Minister. Then I was told by the Minister of Rehabilitation that the West Bengal Government could perhaps help them, but he was under some technical disability of some sort or the other. I discovered altogether that in the case of these very deserving people, assistance was not forthcoming, and some rather gratuitous technical objections were being raised.

I have noticed also that certain efforts had been under Government auspices to assist political sufferers, but there again the choice has been made in a particular fashion, and discrimination has been practised against certain people. I am very happy that Dr. Ram Subhag Singh has pointed out that it is important that political sufferers, irrespective of their party affiliation when they were taking part in the fight for freedom, should be assisted. In this resolution he wants educational assistance, but in certain other amendments it is suggested that other kinds of assistance should also be offered to them. The main point is that there are these political sufferers in fairly large numbers and what Government has done so far—I cannot deny that Government has done anything at all in this matter, Government has tried to do something—has been by no means enough, and discrimination has definitely been practised. Not merely these who are in the good books of the present day authorities should be sought to be assisted, but others besides who have played a part in the national fight should be given every reasonable facility.

Talking of this point, I am reminded of what I was told by a member of Government whom I shall not name, who told me that in one of our States—as a matter of fact it was Mysore—there was somebody who was assisted to a certain extent by the State Government on the ground of his having been a political sufferer, but then later when it was discovered by the bureaucrats in power that he happened to be a Communist by conviction, that assistance was withdrawn. This kind of discrimination is actually practised. I know for example in West Bengal there is a definite ban on those who are either Communists or near-Communists but who have taken part for decades in the national movement. I say this because I wish to tell this House how in my party, the Communist Party, there are people who have suffered for years and years in the cause of national freedom. I may tell you that at our last party congress in Palghat we had 407 delegates and we took account and it was discovered that the total number of years spent in jail by all the delegates came to 1,344 years and 2½ months, the average period spent in jail by each delegate working out to three years and four months. Part

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of it may be in the present period after 1947, but the major part of this long period spent in jail was in the British regime. One of them, for example, Shri Ganesh Ghosh was in the Chittagong armoury raid and he has spent altogether 24 years in jail.

Dr. M. M. Das: He was not in fact a Communist. He has become a Communist afterwards.

Shri H. N. Mukerjee: These figures were collected and published. They were sent out to the press.

I wish also to say that we have in our movement people like Baba Gurmukh Singh of the Punjab who spent about 19 years underground. These 19 years underground were spent not obviously in the present period, but in the period of the fight against imperialism. Here is my leader Shri Gopalan who has spent more than twelve years in jail, and most of that time was spent in jail in the British period. I do not want to give further examples, but the point is that in the period of the fight for freedom so many of us were in that fight and people suffered and their families were neglected and today it is only up to Government to do something about it. And Dr. Ram Subhag Singh has brought forward a very moderately-worded resolution. He only suggests that Government should adopt ways and means in order to assist those people who have suffered in the fight for freedom. That is, after all they do not ask for the moon, they do not ask for pecuniary compensation for their effort, but they do at least deserve some kind of recognition, they do at least deserve to be told by the country that after all their services are remembered, that after all when they suffered for the sake of the country's freedom they were not going to be ignored altogether, they were not going to be treated with indifference, and that Government, when it claims to be a national Government, has a responsibility, a very definite liability to make provision for educational and other purposes for members of the families of those political sufferers who find it very difficult to carry on under present day conditions.

I therefore feel that this is a matter on which all of us are agreed and it is for Government to come forward and say that Government is ready. If there is some difficulty, Government should at least be in a position to come forward and tell us that Government is ready to work out a scheme so that assistance, educational and otherwise, can be given to the families of political sufferers of all categories without distinction who participated in the fight for the freedom of our country.

Shri Thanu Pillai: I fully endorse this resolution of Dr. Ram Subhag Singh, but it does not go far enough. My amendment is the outcome of the limited nature of the original resolution which does not cover all aspects of the question of political sufferers.

The question should have been taken up as the first act of the first Parliament of India, but now we have come to the end, and it is perhaps the last resolution of this Parliament. If we pass this resolution we will be giving a mandate to the next Parliament to take it up as its first act to do justice which we have failed to do so far.

When we talk about political sufferers, somebody who does not know what is suffering, somebody who had nothing to do with the political movement or independence movement, not inside this house but outside, sometimes passes some lighthearted remark which is so painful. These people who now occupy positions look down upon the political sufferer because he is the most downtrodden man today. I would like to remind the House of the movement and how the people suffered. Not that we do not know, but we have forgotten, we will have to remind ourselves.

When the call came from the Father

of the Nation, whatever might have been their walks of life, those that were attracted by the call, lawyers, traders, students, artisans, labourers, workers and all kinds of people joined the movement. It was not a particular community or caste that had joined the movement, but people from all communities. Mostly, they came from the middle class. Today, the middle classes are normally the most hard hit, and the political sufferers who come from the middle classes are the worst hit.

When these people joined the movement, what did they want? They did not think of political sufferers' aids. Somebody asked, 'were they given this assurance?'. Certainly not; they were not given that assurance: Who was there to give that assurance? Their only objective was the fight for freedom. The independence of the country was the only objective; that was the only reward which the freedom fighters wanted. But when that reward came in 1947 and the whole picture changed. The political sufferer has been left in a position where he finds that people who opposed the movement, who were police informants, and who suppressed the movement, are enjoying the benefits of independence, while he himself remains a mere passive onlooker. The onlookers of the movement, who were standing by the side, not to support it but to oppose it, are enjoying all the benefits. So, if these people who have sacrificed their all are not cared for naturally, they have got a right to get irritated. Even then, they did not fight very much for the last nine or ten years. But, now, you see rumblings here and there; political sufferers go on fast for nothing, because they are not cared for. In the beginning, there was some fervour. Some medals were given to these heroes of the freedom movement. But some of them have been in such abject poverty that they have had to pledge their medals for their existence. On the contrary, the people who belonged to the rich few, who opposed the movement, who advised their kith and kin not to join the movement by saying that it was all foolish and so on, went on hoarding money, and educating their children. The students who ridiculed their friends who joined the movement passed examinations and went into power, while the students who left the colleges and sacrificed all their wealth and went to jail have come out only to find out their whole family is left in the lurch, whereas the families of the other students are all very well-placed.

Further, in the new set-up, many developments are taking place, and many new social reforms and improvements are taking place. All that goes to a particular category of people, either in the name of cast or community.

Then, some hon Member had pointed out that Part IV of the Constitution containing the Directive Principles of State Policy was intended mainly for the Scheduled Castes and the backward people. Now, why was the Constitution so drafted? The Scheduled Castes and the backward people had been socially oppressed for hundreds of years, and they could not come up by themselves. So, our national government thought, and rightly so, that aid should be given to the people who had been suppressed for so long, and that no citizen of India should suffer on account of the disabilities of his past inheritance or heritage. Therefore, the framers of the Constitution rightly said that the backward people and the Scheduled Castes should be helped. Not out of malice, but out of sheer igorance, many of those people who were not even in the ranks of the middle-classes did not participate in the freedom fight; but today their condition is not so miserable. While those that opposed the movement are enjoying the fruits of independence, those that contributed their mite and who stood in the forefront and bore the burnt are stepped in poverty; their children are stepped in poverty. In the new set-up, new colleges are opened, techno-

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logical institutions are being opened. But who joins those institution? It is the children of the people who did not participate in the movement that are going to these institutions.

But what happens to the children of those who participated in the freedom movement? Those political sufferers have no money even to educate their children up to the elementary stages. Let me just cite one or two instances. A particular gentleman, who was a trader, had gone to jail in the freedom movement. He had two or three children. His first son got seventy to eighty marks, and up to SSLC he somehow or other managed. But he has no earning. He is not able to get any employment. Off and on he is employed in some Congress office for Rs. 20 to Rs. 30 a month. He has to maintain his wife and children. The wife is completely free from any ornaments except the *thali* which a woman with a husband alive cannot give up. That is the only piece which is there; everything else is gone. They are clad in torn clothes which have been stitched. They do not have even clothes to wear. It is for this that he fought for freedom? That is his cry. Is it wrong if he thinks: 'Is this freedom? Perhaps, I have fought a wrong battle. The freedom that came, came not for me or my children but to somebody else'. It is such persons who are the most angry people today.

We are believers in soul-force. Even saints cannot give up the love of their children. These followers of the saint of Sabarmati who met brute-force with soul-force will become brute force tomorrow, if this Government is not going to take up this question and solve it. I know the rumblings are there. The volcano will erupt, if not today, sometime tomorrow. Nobody can stop it. If the mighty British Empire with all its repression could be overthrown by this passive resistance, let there not be anybody who thinks that this neglect and this indifference can be tolerated by the people.

Anybody will be moved, if he were to see the condition of these people. Somebody asked 'How are we to find out the political sufferer?'.

Dr. Ram Subhag Singh: They can find out everything, but not these.

Shri Thanu Pillai: We can find out everybody on the face of this earth, but not the political sufferer! we can find out lakhs and lakhs of refugees coming into our country because there is a border; we can find out the ex-servicemen because they served a mighty big empire, but the soldier of freedom cannot be found out! What does this mean?

Dr. Ram Subhag Singh: Administrative difficulty.

Shri Thanu Pillai: We have got first-class police officers to detect rogues and thieves, but honest good men could not be found out even when they have come to the position of asking for some aid. If they are not given aid even when they ask for it, then, I say that is something thoroughly wrong with us.

My amendment says that not only educational concessions, but also other concessions should be given. It reads as follows:

> "This House is of opinion that the Central Government should give to the political sufferers, who had participated in the freedom movement, their dependants and descendants who are in need, all assistances on similar terms and conditions and for such period as is being given to the Scheduled Castes and Tribes."

I am not trying to take away any money from the funds earmarked for the Scheduled Castes and Scheduled Tribes. But there must be a pattern, and there must be a formula for this purpose And what is the formula that is required?

Firstly, those who are disabled must be given some sort of dole or pension. Can you not give them even one

rupee a day, or thirty rupees a month for the maintenance of their families? Is that too much? Then, take the case of a person who dies, leaving his wife. Should that woman be a beggar in the street, when other people's woman go about in 'posh' conditions?

My amendment seeks to provide that those dependants also should be protected. Then, their children should be given educational concessions. One hon. Member has given a notice of an amendment to the effect that up to the higher secondary standard, the concession should be there. But why should that restriction be there? Up to the time the boy is able to get educated fully, he should be entitled to get the concession, not by mercy but by right. I say this because he got the freedom for us to legislate. And if we do not legislate for the man who got it, we are doing a grievous wrong. That is my approach to the question.

How long should it be given? That is the next question. For hundreds of years, we neglected the Scheduled Castes. For hundreds of years, they were a depressed community. The reservation seats may be for ten years or for 20 years; but the aid is not so limited. Till the community, by and large, comes up to a standard comparable with others, we will have to continue the aid. Till such time as you give such aid to the backward or disabled people, you continue this aid to those people who have suffered for winning freedom.

As regards employment, I know certain people who were political sufferers, who also happened to be in school now and then. They were not able to get degrees. But if an appointment is given to any such person, I challenge any other officer in the department to compete with him in efficiency. This is because he has got the soul in it, he has got the heart in his work and he works for the sake of work, not for showing that he is an officer.

There are some departments, handicrafts and others, where people who come through the UPSC are not appointed. As for U.P.S.C. that is a different matter; that is a trouble-spot where these people cannot go. Those people who have had an opportunity to serve the Government in some departments have got a very efficient record.

Now, the Madras Government has passed some orders that in the development schemes, these people should be given an opportunity. I would like the Central Government also to consider that in all places where social and economic programmes of a developmental nature are undertaken, where a psychological and political approach—a national approach—is to be made, these freedom fighters and their children should be considered as having a better fitness for taking on the job than others.

Shri S. L. Saksena (Gorakhpur Distt.—North): I am thankful to Dr. Ram Subhag Singh for bringing forward this Resolution.

Sir, the blackest thing about this Government is its treatment of political sufferers. In fact, today when we go to our constituencies or to the countryside, we see old comrades with their houses razed to the ground or burnt down during the 1942 movement. Their sons have died or have been burnt down in the fire. They are just like beggars and they say: 'Is this the Swaraj for which we were asked to fight?' Tears come out of our eyes when we see them. This Government would not listen; it would not even think of them. Today, I think there is a unanimity of opinion that this matter has been most neglected. Even Members of the Congress Benches feel that the Government has failed in this respect.

I was in China. I was surprised to see a People's University there. That University is meant for those persons who were heroes in their war of independence. Those heroes were not very educated. But they were men of stout heart, of great courage and character. So when they became free, they took them and put them in the

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University. They devised courses for them, of five years and seven years according to their standard of education. In this way, they tried to fit them up for all jobs.

Today there is corruption everywhere here. Why? Because the real men, the men who suffered, the men who did not care for the burning of their property and the killing of their relatives, have been neglected.

16-45 hrs.

[SHRI BARMAN *in the Chair.*]

Even those who were the biggest supporters of the British Government and who fought against the leaders of the independence movement, are now enjoying full freedom.

So by negelecting the political sufferers, the Government has wasted the most useful asset it had, men of character who had proved their worth during the battle of freedom. They have now been thrown to the scrapheap.

I think Dr. Ram Subhag Singh's Resolution is somewhat narrow, but the amendment of Pandit D. N. Tiwary, which says:

> "This House is of opinion that a Committee be set up to enquire into the condition of political sufferers and to suggest ways and means to help their dependents"

is more comprehensive. The problem should be tackled on a more comprehensive basis. We should not think that we are doing some charity for them. I think they are a national asset. To take care of them and to make use of them in the development of the country is a very important job for any government which is in power. It should not be thought that giving them some scholarships or giving some other help by way of doles or some money will meet the situation. Not at all. We are really using their talents for our own reconstruction.

Again I found in China that those who went to Korea and fought were honoured. Their sons had died and they had undergone other sufferings. So in every village, the parents of such sons were feted on occasions. They felt that the whole country honoured them for sending their sons for the patriotic fight. Today, in our villages, those volunteers who suffered and sacrificed their all, are taunted: what have you got? Instead of being honoured, they are scorned.

I, therefore, think that nobody will come forward to sacrifice for the nation because those who have sacrificed are despised and scorned. From that point of view, you have to see that those who suffered for freedom should be honoured. It is not a question of giving them some recompense for what they did. It is for our own future, because if heroes are honoured for their sacrifices, people will like to become heroes and the country will rise.

For these reasons, I think that this problem should be tackled on a very comprehensive basis. An attempt should be made to find out all those who suffered and sacrificed for the country's freedom.

A question has been raised as to who is a political sufferer. Many definitions have been given. In my State, those who have passed six months in jail for some political offence have been termed political sufferers. But what about those who were helping the revolutionaries and the Congress workers during the 1942 movement? Their houses were demolished or burnt down. They had been absconding after helping the freedom fighters.

So I think there should be a more comprehensive definition of 'political sufferer'. In fact, everybody who is found to have been helping the movement for freedom and suffering on that account should be included in the definition. It should be wide enough to cover all such persons.

Then there is discrimination in regard to the treatment given to political sufferers. In my State, they have promised some help to workers. Now, I am sorry to have to say that all those who are recommended by

members of Opposition parties are not given any help.

श्री विभूति मिश्र : [सारन व चम्पारन]: यह गलत बात है।

Pandit K. C. Sharma (Meerut Distt.-South): On a point of order.

Mr. Chairman: Let there be no interruption on this matter.

Shri S. L. Saksena: I was President of the Gorakhpur District Congress Committee for six years. It was under my supervision that most of them suffered by going to jail. About 300 persons got my certificate about their having suffered. But I can tell you that not one of them has been given any help, because he had my certificate. Those people who have not suffered have got help.

So it is not true to say that there has been no discrimination. Sometimes it also happens that those who come to the Congress are given a pension. This is how things are done. This sort of discrimination should not be there with regard to this matter. The question of political sufferers should not be thought of in that matter.

Then I would suggest that not only those persons who suffered for themselves but their dependents, their sons and others, if they are in real need, must be helped, as my hon. friend suggested. This help should be of several kinds. They should be given free education. If they have some education, they may be given scholarship to maintain themselves in the University and other places, because it must be felt by those in the countryside that those who suffered are being honoured by Government and the country and that they will be useful to the country.

I think this is a very important resolution and this amendment of Pandit Tiwary should be adopted and the Government should appoint a committee so that a comphensive definition of 'political sufferers' may be devised and everybody who has suffered should be helped.

श्री भक्त दर्शन : सभापति महोदय, आदरणीय मित्र डा० राम सुभग सिंह ने जो संकल्प सदन के समक्ष प्रस्तुत किया है मैं उसका हार्दिक समर्थन करता हूं और उन्हें इसके लिए बधाई देता हूं। श्री थानू पिल्ले ने ठीक ही कहा कि हमारे देश की प्रथम संसद् का यह कर्तव्य होना चाहिए था कि स्वाधीनता प्राप्ति के बाद ही सबसे पहले हम अपने स्वाधीनता-संग्राम के सैनिकों का आदर करते और उनके प्रति कृतज्ञता प्रकट करते, लेकिन देर में ही सही आज यह जो संकल्प रक्खा गया है मुझे पूरी तरह से विश्वास है कि सरकार की ओर से इसको स्वीकार किया जायगा और इस पर शीघ्र ही अमल किया जायगा।

हमारे देश में, जैसा कि अभी तक कई वक्ताओं ने यहां पर बताया है, हमारे स्वाधीनता-संग्राम के सैनिकों की बहुत ही दुर्दशा है। मैं नहीं समझता कि शायद किसी भी देश ने अपने स्वाधीनता के सैनिकों के प्रति इतनी कृतघ्नता का परिचय दिया होगा। हर एक राष्ट्र ने, जिसने कि स्वाधीनता प्राप्त की, अपने सैनिकों का पूरी तरह से सम्मान किया; यहां तक कि उन देशों ने जिनके मेरे आदरणीय मित्र श्री हीरेन मुकर्जी बड़े प्रशंसक हैं, रूस और चीन, वहां तो यह हालत हुई कि जब उन देशों को स्वाधीनता मिली या क्रान्ति सफल हुई तो वहां पर संग्राम और क्रान्ति के सैनिकों के हाथ में ही शासन की पूरी बागडोर दे दी गई और आज उन देशों के शासन की बागडोर उनके स्वाधीनता-संग्राम के सैनिकों के हाथ में है। इसमें कोई शक नहीं कि हमने अपने यहां एक बड़े आदर्श लोकतंत्री राज्य की स्थापना की है और हमारे देश के नेताओं ने बड़ी उदारता का परिचय दिया कि जिस स्वाधीनता को हमने इतने परिश्रम, त्याग और बलिदान के बाद प्राप्त किया उसको हमने फिर से नौकरशाही के हाथों में दे दिया। स्वराज्य-प्राप्ति के बाद सबसे अधिक लाभ अगर किसी वर्ग को इस हमारे देश में हुआ है तो वह हमारे नौकरशाही

[श्री भक्त दर्शन]

वर्ग को ही हुआ है। आप सेना में ही ले लीजिये तो पायेंगे कि शायद वे लोग जो मेजर या कर्नल से आगे नहीं बढ़ सकते थे, आज वे उनसे ऊंचे पदों पर अर्थात् जनरल आदि के पदों पर विराजमान हैं। इसी तरह यदि आप सिविल साइड में देखेंगे तो पायेंगे कि जो शायद डिप्टी कलक्टर और डिस्ट्रिक्ट मजिस्ट्रेट नहीं हो सकते थे वे आज के दिन कमिश्नर गवर्नर आदि जैसे ऊंचे पदों पर विराजमान हैं और उनके वेतनों को कोई छू भी नहीं सकता; और इसीलिए मैंने कहा कि देश में जो स्वराज्य स्थापित हुआ है उसका सबसे अच्छा उपभोग यह हमारा नौकरशाही-वर्ग कर रहा है जब कि वे लोग जिन्होंने कि भारत को स्वाधीनता प्राप्त कराने में कठोर कष्ट झेले और त्याग और बलिदान किये वे अभी तक बहुत बड़ी संख्या में दुखी हैं और इधर-उधर मारे-मारे फिरते हैं। मैं चाहता हूं कि सरकार फौरन ऐसे राजनैतिक पीड़ितों को सहायता सुलभ करे और उनके दुखों और कष्टों का निवारण करने का प्रयत्न करे। यह संकल्प इसी उद्देश्य को लेकर सदन के समक्ष रक्खा गया है और सरकार को इसे स्वीकार करना ही चाहिए।

सभापति महोदय, मैंने इस सम्बन्ध में दो संशोधनों में दो संशोधन संख्या ५ और ७ को प्रस्तुत किये हैं। पहला संशोधन मेरा यह है कि सभी श्रेणियों के राजनैतिक पीड़ितों को इसमें सम्मिलित किया जाये। वैसे तो यह कहा जा सकता है कि जो संकल्प रक्खा गया है उसकी भाषा में इसकी भावना विद्यमान है, लेकिन इसको और भी स्पष्ट करना मेरी समझ में आवश्यक है। श्री हीरेन मुकर्जी ने और इस संकल्प को प्रस्तुत करने वाले डा० राम सुभग सिंह ने भी बतलाया और एक सूची पेश की कि इन इन श्रेणियों के राजनैतिक पीड़ितो को इसमें सम्मिलित किया जाय अतः, अगर यह संशोधन स्वीकार कर लिया जाय तो यह बिलकुल स्पष्ट हो जाता है और फिर इसमें संशय की कोई बात नहीं रहती है।

अभी हमारे मित्र श्री शिब्बन लाल सक्सेना ने उदाहरण देकर यह सिद्ध करने का प्रयत्न किया कि वे राजनैतिक पीड़ित जो कि कांग्रेस में नहीं है उनको सरकार सुविधा नहीं देती है। हो सकता है कि किन्हीं जिलों में या किन्हीं राज्यों के अन्दर इस तरह का पक्षपात किया गया हो। हो सकता है कि जिन प्रान्तों में कांग्रेसी सरकारें हैं वहां एक-आध केस में ऐसा पक्षपात किया गया हो, लेकिन मेरा विश्वास है कि इस तरह का पक्षपात कोई बड़े पैमाने पर नहीं किया जा रहा है या किया गया है। और अगर इस तरह का पक्षपात बर्ता जा रहा है तो उसकी भर्त्सना करनी चाहिए। राजनैतिक पीड़ितों के प्रति अपनी श्रद्धा और कृतज्ञता प्रकट करने में कोई अन्तर नहीं होना चाहिए, चाहे वे किसी भी विचारधारा के हों।

आजाद हिन्द फौज का जिक्र हम अक्सर सुनते रहते हैं अतः मैं उसके सम्बन्ध में इस अवसर पर अधिक नहीं कहना चाहता, केवल इतना हीकहना चाहता हूं कि हमारे बहुत से आजाद हिन्द फौज के भाई बड़ी दयनीय और दुखी अवस्था में हैं और उनकी कोई पूछने वाला नहीं है। जैसा कि डा० राम सुभग सिंह जी ने बताया कि आजाद हिन्द फौज के दो बड़े अफसर तो जरूर आज केन्द्रीय सरकार में उप-मंत्रियों के पदों पर विराजमान हैं; लेकिन जो अधिकांश उनमें से हैं उनकी हालत बहुत खराब है और मेरा यह निवेदन है कि राजनैतिक पीड़ितों को सुविधा देते समय उनका विशेष तौर पर खयाल रखना चाहिए।

इसी तरह से मैं आपको बतलाऊं कि सन् १९३० में जो पेशवार-कांड हुआ था और जिसमें हमारे भारतीय सैनिकों ने बड़ी बहादुरी और देशभक्ति का परिचय दिया था और जिनके लिए उनको अपार कष्ट भोगना पड़ा

था उनमें से श्री चन्द्र सिंह गढ़वाली का मैं विशेष तौर पर उल्लेख करना चाहता हूं। वे पेशवार-कांड के नेता थे और उनके त्याग और बलिदान की स्मृति में सारे देश ने सन् १९३० में कांग्रेस-अध्यक्ष स्वर्गीय श्री मोती लाल जी के आदेश से "गढ़वाली-दिवस" मनाया था और श्री जवाहरलाल नेहरू जी ने जो अपनी आत्मकथा लिखी है उसमें उसका बहुत अच्छी तरह से स्मरण किया है; उस वीर सेनानी की आज क्या हालत है ? आपको जानकर आश्चर्य होगा कि उत्तर प्रदेश की सरकार ने बड़ी कृपा करके उनको १४ रुपये मासिक पेंशन देने का संकल्प किया है ।

एक माननीय सदस्य : शेम ।

श्री भक्त दर्शन : मैं समझता हूं कि उन्होंने उस अपमानपूर्ण चीज को लौटा कर बहुत अच्छा किया । १४ रुपये की मासिक पेंशन देने का प्रस्ताव करना उनके साथ मजाक करना है । उत्तर प्रदेश में स्वयं मेरे जिले में, मैं किसी का यहां पर नाम नहीं लेना चाहता, लेकिन मैं जानता हूं कि बहुत से मोटे-मोटे शरीर वालों को ५७) और १००) रुपये तक की पेंशनें दी गई हैं, जब कि उसके विपरीत एक ऐसे आजादी के संग्राम के सिपाही को, जिसने कि इतनी देशभक्ति और त्याग का एक उदाहरण देश के सामने रक्खा, उसको १४ रुपये मासिक पेंशन दी जाय, यह कितना अपमानजनक है । मेरा यह अनुरोध है और मैं समझता हूं कि सदन के सब वर्गों का भी यही मंतव्य है कि इस में कोई भेद-भाव नहीं होना चाहिए, बल्कि जिसकी जितनी कुर्बानी है और जिसका जितना त्याग और तपस्या है और जिसको आज के जमाने में जितना कष्ट है उसके अनुरूप उसको सरकार की ओर से सहायता मिलनी चाहिए । अर्थात् ऐसा करते समय हमें बिलकुल निष्पक्षता बर्तनी चाहिए ।

अब मैं सभापति महोदय, केवल दो-एक बातों की ओर सदन का ध्यान आकर्षित करना चाहता हूं । यह जो मूल प्रस्ताव है इसका मंतव्य बड़ा सुन्दर होते हुये भी जैसा कि श्री थानू पिल्ले ने कहा यह बहुत थोड़ी दूर तक जाता है । इसमें केवल यह व्यवस्था की जा रही है कि जो लोग शिक्षा पा रहे हैं और उनकी हालत खराब हो तो उनको छात्र-वृत्तियां दी जायं । इस सम्बन्ध में मैंने अपने संशोधन संख्या ७ में यह सुझाव दिया है कि उन सबके लिए कम से कम हायर सेकेंडरी स्टेज तक फ्री एजुकेशन (निशुल्क शिक्षा) की व्यवस्था होनी चाहिए ।

मैं अपने राज्य के बारे में और स्वयं अपने जिले के बारे में जानता हूं कि जब उत्तर प्रदेश सरकार की ओर से यह निर्णय दिया गया कि जो लोग राजनैतिक पेंशन लेना चाहते हैं वे अपने आवेदन पत्र सरकार के पास भेजें, तो बहुत से लोग अपने आत्म सम्मान के कारण आवेदनपत्र नहीं देना चाहते, हालांकि वे पीड़ित और दुखी हैं, लेकिन वे आवेदन पत्र देकर अपने सम्मान को मिटाना नहीं चाहते । मैं चाहता हूं कि उनके लिए कोई एक युनिफौर्म फारमूला होना चाहिए कि अगर ज्यादा नहीं तो कम से कम हायर सेकेंडरी स्टेज तक निःशुल्क शिक्षा दी जाय और इसमें बहुत ज्यादा पैसा खर्च होने वाला नहीं है । हमने अपने हरिजन भाइयों के लिए निःशुल्क शिक्षा की व्यवस्था की हुई है, जनजातियों के लिए निःशुल्क शिक्षा की व्यवस्था की हुई है और अगर हम सब राजनैतिक पीड़ितों के लिए भी इसकी व्यवस्था करते हैं तो मेरे खयाल में देश भर में आपको १ लाख व्यक्तियों के लिए और निःशुल्क शिक्षा की व्यवस्था करनी होगी । उनमें भी बहुत से लोग तो मर गये होंगे और बहुतों के बच्चे पढ़ने वाली अवस्था पार कर गये होंगे और अब तक वे शायद किसी रोजगार या धंधे पर लग गये होंगे और इस तरह देखा जाय तो १ लाख व्यक्तियों से अधिक के लिए आपको इसकी व्यवस्था नहीं करनी पड़ेगी और अगर उनके लिए निःशुल्क शिक्षा की व्यवस्था हाईस्कूल तक कर दी जाती है तो वह एक बहुत सुन्दर

[श्री भक्त दर्शन]

कार्य होगा। श्री थानू पिल्ले ने जोश में आकर यह कह दिया कि अगर राजनैतिक पीड़ितों के साथ न्याय नहीं किया गया तो वे ब्रूटफोर्स (पाशविक शक्ति) का इस्तेमाल करेंगे, ब्रूट फोर्स यह शब्द इस्तेमाल कर दिया जो कि मैं समझता हूं कि अवांछनीय है और नहीं किया जाना चाहिए था। हमारे इन स्वाधीनता संग्राम के साथियों ने देश के सामने एक 'आत्म शक्ति' का उदाहरण रक्खा है और उनके द्वारा पाशविक शक्ति का प्रदर्शन करके अपनी मांग को स्वीकार कराने का कार्य कभी नहीं हो सकता है, इसका मुझे पूर्ण विश्वास है।

मुझे पूरा भरोसा है कि हमारे प्रधान मंत्री जी और हमारे शिक्षा मंत्री महोदय और हमारे उपमंत्री महोदय जिनको कि हमारे डा० राम सुभग सिंह ने "जनता मंत्री" का टाइटिल दे डाला है, मैं तो उनको इससे भी ऊंची पदवी देने के पक्ष में हूं, लेकिन खैर जनता मंत्री आपने उनको कहा है तो मुझे पूरा भरोसा है कि वे अपनी पूरी शक्ति को इस कार्य में लगायेंगे और मैं समझता हूं कि जैसा कि बहुत से मेरे अन्य साथी कह चुके हैं अगली बार जब हम यहां नई पार्लियामेंट में अगर भगवान ने सफलता हमको दी तो हम यहां पर आयेंगे और हो सकता है कि बहुत से लोग अभाग्यवश यहां पर दुबारा न आ सकें।

बहुत से लोगों की शक्ल शायद इस सदन में न दिखलाई पड़े। बहुत से लोग जो आएंगे वे सब मिल कर इस बात को देखेंगे कि जो संकल्प हम लोग स्वीकार कर रहे हैं उस पर अमल हो चुका है या नहीं और हम ने अपने देश के स्वाधीनता-संग्राम के सैनिकों के प्रति अपने कर्तव्य का पालन किया है या नहीं।

BUSINESS OF THE HOUSE

17 hrs.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Sir, I rise to announce that Government Business for the last week of the session commencing 17th December will be as follows:

1. Discussion and voting of Supplementary Demands for Grants—General and for Railways and Demands for Excess Grants for Railways.
2. Appropriation Bills relating to these Demands.
3. Representation of the People (Miscellaneous Provisions) Amendment Bill.
4. Banking Companies (Amendment) Bill.
5. Union Duties of Excise (Distribution) Amendment Bill.
6. Central Excise and Salt (Amendment) Bill (to be introduced on 17th December).
7. Kerala State Legislature (Delegation of Powers) Bill.
8. Territorial Councils Bill.
9. Delivery of Books (Public Libraries) Amendment Bill, as passed by Rajya Sabha.
10. Delhi (Control of Building Operations) Continuance Bill.
11. Delhi Tenants (Temporary Protection) Bill.
12. Slum Areas (Improvement and Clearance) Bill.

The last 3 bills are expected to be passed by Rajya Sabha early next week.

The order which I have announced of the above items of business is also the order in which they are provisionally scheduled to be brought forward.

As regards discussion on the fixation of pay scales and other service conditions of employees of Life Insurance Corporation, it is proposed, subject to your approval, Sir, to hold it at 5-00 P.M. on Monday, the 17th December.

RESOLUTION *RE* SCHOLARSHIPS FOR CHILDREN OF POLITICAL SUFFERERS—*Contd.*

श्री रघुवीर सहाय: सभापति महोदय, जो प्रस्ताव हमारे माननीय मित्र डा० राम सुभग सिंह ने रक्खा है उसके उद्देश्य से मैं पूरी तरह सहमत हूं और मैं उसका स्वागत करता हूं। अगर्चे हम यह चाहेंगे कि जब

इस प्रस्ताव के पास करने की नौबत आवे तो वह इस शक्ल में पास हो जैसी कि मैंने अपने संशोधन में लिखी है:

"Having regard to the very deplorable financial condition of most of the political sufferers in the country, the Government in the opinion of this House, should, not only make provision for imparting education free to the children from primary to the university stage, but also award scholarships in suitable cases."

मैं समझता हूं कि इसके समर्थन में मेरे लिए यह आवश्यक नहीं है कि मैं उन बातों का यहां पर वर्णन करूं कि ब्रिटिश काल में किन-किन लोगों ने और किन-किन जमातों ने फायदा उठाया है, और उनके चले जाने के बाद कौन-कौन लोग फायदा उटा रहे हैं। मेरे खयाल में इस प्रस्ताव का महत्व बहुत ज्यादा है और वह अपने महत्व के ऊपर ही इस भवन में पास कराया जा सकता है।

मैं यह समझता हूं कि हमारे राजनीतिक पीड़ितों की जो दुर्दशा इस समय है वह किसी से छिपी हुई नहीं है। मैं इसके मानने के लिए तैयार नहीं हूं कि चाहे स्टेट्स की सरकारें हों चाहे केन्द्रीय सरकार को, उनको शोचनीय दशा वह नहीं जानतीं हैं। यह बात और है कि इस तरफ उनका ध्यान अभी पूरी तरह से आकर्षित न हुआ हो। मैं इस बात के भी पक्ष में हूं कि जहां तक राजनीतिक पीड़ितों के बच्चों की तालीम और उनको दूसरी सुविधायें देने की बात है, उसमें किसी तरीके की भी तफरीक सरकार को नहीं करनी चाहिए। अगर उन्होंने आजादी की लड़ाई में भाग लिया है, चाहे वह किसी तरह पर हो, चाहे हिंसात्मक तरीके से चाहे अहिंसात्मक तरीके से, यह तो मानना ही पड़ेगा कि उनकी नियत बड़ी अच्छी थी और उन सब लोगों की तकलीफों से और उनकी तपस्या से ही आज हम अपने देश को स्वतंत्र देख रहे हैं, और स्वतंत्रता के जो फायदे हैं उनको भी पा रहे हैं।

अब आप देखिए कि सन् १९२१ में जब महात्मा गांधी ने अपना सत्याग्रह आन्दोलन शुरू किया तो कितने लोग उनके पीछे, उनके आदेश के अनुसार जेलों में गए, उनमें न सिर्फ वकील और बैरिस्टर, मुख्तार, रुपए पैसे वाले जमींदार बल्कि हजारों गरीब आदमी, जो कभी भी यह खयाल नहीं करते थे कि उनकी जिन्दगी में स्वराज्य मिल सकेगा, भी थे। मेरा खयाल है कि उन अनगिनत आदमियों में से आज भी बहुत से मौजूद हैं, जिनकी दशा बड़ी खराब है। जैसी कि हमारे यहां एक बड़ी भौंडी सी मसल है कि चोर चोरी से जाय पर हेरा फेरी से नहीं जा सकता। इसी तरह से जिन लोगों ने सन् १९२१ में महात्मा गांधी के आदेश से सत्याग्रह किया था उनमें से भी बहुत से लोग आज जिन्दा हैं, सन् १९४२ और १९४४ तक जितने भी आन्दोलन हुए उन सभी में उन्होंने भाग लिया है। लेकिन अगर आज देखा जाए कि उनके बच्चों की क्या हालत है, तो वह चीज वाकई बड़ी शोचनीय है। इसी प्रकार जब सन् १९३० में नमक का कानून तोड़ने का आन्दोलन किया गया, और उसके बाद सन् १९३१ से १९३३ तक दूसरा आन्दोलन लगान बन्द करने का किया गया तो उसमें भी कितने ही अनगिनत आदमी जेलों में गए, उस वक्त जो गरीब आदमी जेल गए उनमें से बहुत से आज जिन्दा हैं। इसी प्रकार से जब सन् १९४१ का व्यक्तिगत सत्याग्रह हुआ तो आदमी जेल गए, सन् १९४२ का 'भारत छोड़ो' आन्दोलन हुआ तो भी अनगिनत आदमी जेल गए। इन तमाम राजनीतिक पीड़ितों के लिए मैं विशेष तौर पर कहना चाहता हूं कि आज उनमें से बहुत थोड़े ऐसे हैं जो पार्लियामेंट के मेम्बर्स हैं या ऐसेम्बलीज के मेम्बर्स हैं या जो एलेक्टिव आफिसेज में लगे हुए हैं और थोड़ा सा रुपया पैसा कमा सकते हैं और अपने बाल बच्चों की तालीम पर खर्च कर सकते हैं। अनगिनत आदमी ऐसे हैं जिनके खाने-पीने का और अपने बच्चों की तालीम का कोई जरिया नहीं है। जैसा कि अभी हमारे एक माननीय दोस्त ने कहा कि बहुत से लोग तो इस बात में शरमाते हैं

[श्री रघुवीर सहाय]

कि हम दर्ख्वास्त कैसे दें? क्योंकि जब स्वराज्य के लिए आन्दोलन होते थे उस समय वह जिस वातावरण में रहे हैं, उस वातावरण में वह यह बात ठीक नहीं समझते कि वह दर्ख्वास्त दें और दर दर मारे मारे फिरें और लोगों की खुशामद करें और बाद में इस खिफफत को बर्दास्त करें की उनकी दर्ख्वास्त खारिज हो। लेकिन आज जमाना बहुत बदल गया है, हम सोशलिस्टिक पैटर्न की हुकूमत बनाने जा रहे हैं। मैं तो कहता हूं कि यह वेलफेयर स्टेट है, यह जनता की सेवा का जमाना है, इसलिए इस चीज में हमें कोई कमी नहीं बरतनी चाहिए। हमें कोई तो कदम आगे बढ़ाना चाहिए।

अभी हफ्ते दो हफ्ते की बात है, जब चीन गया हुआ हमारा डेलिगेशन वापस आया तो अध्यक्ष महोदय ने संसद् के हाल में एक व्याख्यान दिया, हम सब लोग वहां गए थे और उनके व्याख्यान को ध्यानपूर्वक सुना। उसमें कई एक ऐसी बातें थीं जिनका हम लोगों पर बड़ा असर हुआ। उनमें से एक खास बात यह थी कि उन्होंने कहा कि चीन में पढ़ाई लिखाई बहुत कम कीमत में होती है, वहां खाने की चीजें बहुत कम कीमत में मिलती हैं। जो एक मामूली आदमी की सुविधाएं हैं वह सब बहुत कम खर्चे में मिलती हैं। हम नौ वर्ष की आजादी के बाद भी नहीं कह सकते कि हिन्दुस्तान में ऐसा हुआ है। आज तालीम की जो हालत है उसको बच्चों के माता पिता जानते हैं। अगर बच्चे को स्कूल में रखना होता है तो कम से कम ४० या ५०रुपया भेजना पड़ता है। चूंकि स्कूल्स में मास्टर ठीक से पढ़ाते नहीं है इसलिए उनको प्राइवेट ट्यूटर रखना पड़ता है, वह भी २५ रुपये महीने से कम नहीं लेता है। जो लड़के कालेज या युनिवर्सिटीज में पढ़ते हैं उनके ऊपर सौ या सवा सौ रुपया माहवार से कम खर्च नहीं होता है। ये राजनीतिक पीड़ित जिनके बारे में मैंने अभी दो चार बातें कहीं हैं ये कैसे अपने बच्चों को पढ़ा सकते हैं। उनकी संख्या बहुत ज्यादा नहीं है। उनका सारा भार हमारी सरकार को अपने ऊपर ले लेना चाहिए। हां मैं यह मानता हूं कि वह दिन दूर नहीं और उसे अवश्य आना चाहिये जबकि वास्तव में हमारे देश के अन्दर एक सोशलिस्टिक पैटर्न आफ सोसाइटी की स्थापना होगी और जब हमारी स्टेट सही मानों में एक वैलफेयर स्टेट हो गी और सब बच्चों की पढ़ाई का जिम्मा सरकार के ऊपर होगा और सब लोगों की बीमारियों के इलाज के लिए दवा दारू का इंतिजाम गवर्नमेंट करेगी। लेकिन मैं समझता हूं कि शायद उस दिन के आने में काफी देर लगेगी। इसलिए कम से कम इन लोगों के बच्चों के प्रति हमें अपना कर्तव्य निभाना चाहिये जिनकी तपस्या से, जिन की सेवाओं से हमें स्वराज्य प्राप्त हुआ है, हमें आजादी मिली है।

मैं ज्यादा समय नहीं लेना चाहता। केवल एक बात कहकर समाप्त कर दूंगा। जैसा मैंने पहले कहा कि बहुत ही कम लोग उन राजनीतिक पीड़ितों में हैं जो कि पार्लियामेंट के या स्टेट असम्बेलीस के मैम्बर हो सके हैं। आज चाहे आप इसको दुर्भाग्य कहें और चाहे सौभाग्य कहें, टिकिट देते वक्त यह देखा जाता है कि वह आदमी जिसको टिकिट दिया जा रहा है इलैकशन में खड़े होने के लिए, क्या वह खर्चा कर सकता है। यह ठीक हो सकता है, उचित हो सकता है लेकिन मेरे कहनें का मतलब यही है कि बहुत से राजनीतिक पीड़ित इलैकशन में भी खड़े नहीं हो सकते हैं। इस तरह से अगर उनको इलैक्शन में खड़े होने से भी रोका गया और उनकी आमदनी का भी कोई इंतिजाम नहीं किया गया तो इसके माने यह होंगे कि उनके बच्चे हमेशा के लिए अनपढ़ रह जायेंगे और अनपढ़ बच्चे आप जानते ही हैं कि एक सोशल डेंजर हो सकते हैं। इस डेंजर से बचने के लिए भी यह आवश्यक है कि हम इस प्रस्ताव को मंजूर करें और इस सवाल पर हमदर्दी से गौर करें

और जो भी सहायता हम इन बच्चों के लिए दे सकते हैं, दें ।

Shri S. C. Deb (Cachar—Lushai Hills): Mr. Chairman, I heartily support the motion moved by Dr. Ram Subhag Singh. I have some experience of the political sufferers that this Resolution speaks of. From 1921, I was one of the soldiers of Indepenence movement. I had come across thousands of young countrymen joining the movement, belonging to different parties and different ideologies. I had the opportunity and good fortune to come across most of them.

My experience is that they are suffering very much when we are envisaging the development of the country in every way. They feel shy to come and demand something on the ground that they are suffering. There are thousands of persons who went to jail, who faced lathi-charges and bayonets who lost their lives.

I was here for some five years. Before that I was sitting in the corner of my little hut. Every time I get to my constituency, the political sufferers come to me for some help but I am helpless and I am unable to give them any relief. I know that some States have some schemes for helping them. But, the executive authority had no respect for the political sufferers. They may have some respect for the M.L.As. or M.Ps. but not for those who suffered the most for the freedom of the country. Though some schemes were adopted by the State Governments, their funds are scanty. Further speaking for my State because of the unhelpful attitude of the executive authorities in scrutinising the cases, they took so many things into consideration and in the first instance very few persons, numbering 40 or 50, were selected. Then, in the second instance, some 400 or 500 were selected of whom very few were getting any relief.

It is the duty of the Government to come to the relief of these fighters of freedom. An argument may be advanced that they did not fight for freedom expecting any reward. It may be so. But, it is the duty of the Government of the day to place them in a position so that they are also respected persons in the country. They are the soul of the country. Our Government should see that their sufferings are reduced when we are going forward with the development of the country in every direction.

First of all, I would propose the preparation of list of political sufferers throughout the country. It should be scrutinised. The cases of their dependents and children should also be scruinised. They should be given adequate help from the Central Government. The State Governments are not well equipped with funds and the Central Government, if it so desires,—Dr. Ram Subhag Singh said—could find resources for that purpose. Our Education Minister is a great patriot. He is very considerate and generous and such good qualities are possessed by him. We are contemplating the writing of the History of the Freedom Movement. The list of political sufferers should also be there. The Central Government should help them in every way to raise their status equal to that of the other persons of the country.

पंडित ठा० ना० तिवारी : चेयरमैन साहब मेरा संशोधन इस प्रकार है :

"This House is of opinion that a Committee be set up to enquire into the condition of Political Sufferers and to suggest ways and mens to help their dependents."

मैं गत दो वर्षों से प्रयत्न कर रहा था कि यह प्रस्ताव इस हाउस के सामने आवे । चूंकि यह प्रस्ताव बैलट में नहीं आ सका इस वास्ते न तो वह यहां पेश हो सका और न ही उसको यहां पर डिसकस किया जा सका । बड़े सौभाग्य की बात है कि डा० राम सुभग सिंह जी का प्रस्ताव इस सदन के सामने आया है । मैं आपसे कहना चाहता हूं कि आज पोलिटिकल

[पंडित द्वा० ना० तिवारी]

सफरर्स की क्या हालत है, इसका अंदाजा लगाना अनुमान से बाहर है। जो लोग कि देहात के कार्यकर्त्ता हैं जिनको लोग जानते तक नहीं, वे तिल तिल दुःख भोग रहे हैं और अपने दुःख को किसके सामने रखें, यह उनकी समझ में नहीं आता है। हमें आजाद हुए तकरीबन दस साल हो गए हैं और उनकी दशा आज पहले से भी खराब हो गई है। जिस वक्त आजादी की लड़ाई चल रही थी जोश में आकर उन्होंने इस बात का खयाल नहीं किया कि उनके घरों की क्या हालत होगी, उनके बाल बच्चों की क्या हालत होगी और उनकी वृद्धावस्था कैसे गुजरेगी।

वे अपना सर्वस्व होम करके इस देश की आजादी के लिए लड़े। हम ने हमेशा यह देखा है कि किसी भी लड़ाई में लड़ने वाले सिपाही को बाद में रीहैबिलिटेट किया जाता है, उसकी कुछ न कुछ सहायता की जाती है। इस सदन में भी बार-बार यह प्रश्न आता है कि डीमाबिलाइज्ड सोल्जर्ज को रिहैबिलिटेट किया जा रहा है या नहीं और गवर्नमेंट बराबर यह जवाब दिया करती है कि इतने लोगों को जमीन दी गई है, इतने लोगों को नौकरी दी गई, इत्यादि लेकिन यह कितने आश्चर्य की बात है कि आज की लड़ाई के सिपाहियों के सम्बन्ध में यहां पर कोई प्रश्न नहीं आता। यह कहा जाता है कि यह काम राज्य सरकारों के जिम्मे है। मैं मानता हूं कि कुछ राज्य सरकारों न कुछ रुपया पैसा देने का प्रबन्ध किया है, लेकिन यह मामला इतना बड़ा है—यह समस्या इतनी बड़ी है कि यह राज्य सरकारों के बस की बात नहीं है। मैं बिहार की बात जानता हूं। वहां करीब पचास साठ लाख रुपया राजनीतिक पीड़ितों को दिया गया, लेकिन कैसी हालत में वह दिया गया और किस तरह दिया गया, यह एक दर्दनाक कहानी है। आप जानते हैं कि बिहार में राजनीतिक पीड़ितों की संख्या बहुत है। हिन्दुस्तान के किसी भी प्रान्त में शायद उतने राजनीतिक पीड़ित नहीं होंगे, जितने कि बिहार में हैं और उनकी हालत बहुत ही शोचनीय हो गई है। सन् १९२१ या सन् १९३० में वे बच्चे थे, जब कि वे अपने अपने स्कूल और कालिज छोड़ कर स्वतंत्रता-संग्राम में भाग लेने के लिए आगे आए और आज १९५६ में उनकी अवस्था पचास-पचपन वर्ष की हो गई है कोई उनको देखने वाला नहीं है। उनकी लड़कियों की शादी नहीं हो रही है। उनके बच्चों का एजूकशन नहीं हो रहा है। जिन लोगों ने दरख्वास्तें दीं, उनको क्या दिया गया? किसी को १५० रुपए, किसी को २०० रुपए और किसी को ५०० रुपए दिए गए। यह कितना हास्यास्पद एमाउंट है। इतने से न किसी का रीहैबिलिटेशन हो सकता है और न ही एक वर्ष की भी समस्या हल हो सकती है। चूंकि बिहार सरकार या किसी भी और सरकार के पास इतने साधन नहीं हैं कि वे पोलीटिकल सफरर्ज की समस्या को हल कर सकें, इसलिए मैं चाहता हूं कि इस समस्या को एक संकुचित रूप में न लेकर —केवल लड़कों की पढ़ाई की बात न लेकर—पोलीटिकल सफरर्ज की सारी स्थिति की जांच की जाय और अगर उनकी या उनके बच्चों की कोई देख-रेख करने वाला न हो, तो उनकी देख-रेख का प्रबन्ध किया जाय। जो लोग १९२०, १९३० या १९४२ में मारे गए, उनकी विधवायें हैं। उनमें से कुछ को तो रुपए मिले हैं, कुछ को नहीं मिल हैं। मेरे प्रान्त में कुछ को दो हजार रुपए दिए गए। आप स्वयं सोच सकते हैं कि उस दो हजार रुपए से एक विधवा का क्या होगा। अगर उसकी कोई लड़की है, तो वह सारा रुपया उसकी शादी में ही खर्च हो गया और आज वह या तो किसी का गेहूं पीस कर, पानी भर कर या जूठे बरतन मल कर जीवन व्यतीत कर रही है या उसको भूखा रहना पड़ रहा है। समय के अभाव के कारण मैं सदन में उन लोगों की दुर्दशा का पूरा विवरण नहीं दे सकता हूं। लेकिन मैं यह निवेदन अवश्य करूंगा कि जिन राजनीतिक पीड़ितों

को असेम्बली या पार्लियामेंट में जगह मिल गई है, या जो किसी ओहदे पर हैं, उनकी दशा को देख कर साधारण राजनीतिक पीड़ितों की दशा का अन्दाजा न लगाया जाय। उनको जानने वाले भी कम हैं और उनकी पहुंच भी सीमित है। बहुत से लोगों ने इस लिए भी दरख्वास्तें नहीं दी, क्योंकि वे ऐसा करना स्वाभिमान के खिलाफ समझते हैं। इसलिए उनको वह दो, चार या पांच सौ रुपए भी नहीं नहीं मिल सके। इसके विपरीत जो लोग हुशियार और चालाक थे, उन्होंने पीड़ित न होने पर भी सरकार को भ्रम में डाल कर रुपया ले लिया। मैं ऐसे कई उदाहरण दे सकता हूं।

मैं फिर यह कहना चाहता हूं कि राजनीतिक पीड़ितों को पुनस्संस्थापित करने की समस्या छोटी नहीं है। यहां पर जो प्रस्ताव पेश किया गया है, उसमें कहा गया है कि केवल उनके बच्चों की पढ़ाई की समस्या को जांच की जाय। मैं इससे सहमत नहीं हूं और इस कारण कि जिनके घर खाने को नहीं है, पहनने को वस्त्र नहीं हैं, वे लड़कों को पढ़ा कैसे सकते हैं। वे तो इस ख्याल में रहते हैं कि उनका लड़का काम करके एक सर अनाज ला कर दे कि घर में बूढ़ा बाप या बूढ़ी मां पेट भर सकें। यह समस्या बहुत बड़ी है और इस लिए मैं अपील करूंगा कि डा० राम सुभग सिंह और गवर्नमेंट मेरे इस संशोधन को स्वीकार कर लें, जिससे यह समस्या केन्द्रीय सरकार में आ जाय और इसकी समुचित जांच हो सके।

मैं कुछ राजनीतिक पीड़ितों के पत्र भी अपने साथ लाया हूं, जिन को पढ़ने से हृदय विदीर्ण होता है,। कोई लिखता है कि मेरी बच्ची की शादी होनी है, मैं क्या करूं?

पंडित कृ० चं० शर्मा : शादी न करें।

पंडित द्वा० ना० तिवारी : शर्मा जी कहते हैं कि शादी न करें। अगर इन की अपनी बच्ची होती, तो वह क्या समझते—उनके मन की अवस्था क्या होती? किसी राजनीतिक पीड़ित के बारे में इस प्रकार लाइट-हार्टिड वे में बोल देना मैं नहीं समझता कि इनको शोभा देता है।

एक माननीय सदस्य : उन्होंने मजाक में कहा है।

पंडित द्वा० ना० तिवारी : यह मजाक का विषय नहीं है।

सरदार अ० सि० सहगल (बिलासपुर): यह बड़ा गम्भीर विषय है।

पंडित द्वा० ना० तिवारी : यह समस्या बड़ी अहम है और सरकार इस को सारे हिन्दुस्तान की समस्या समझ कर देखे। जुलाई, अगस्त, १९५५ में दिल्ली विधान सभा में इस सम्बन्ध में एक प्रस्ताव आया था कि इन लोगों की कुछ सहायता की जाय। उसमें यह तय किया गया था कि राजनीतिक पीड़ितों को कुछ पेन्शन दी जाय। मेरा कहना यह है कि हर राजनीतिक पीड़ित को पेन्शन देना स्टेट गवर्नमेंन्ट के बूते की बात नहीं है। वह केन्द्रीय सरकार ही दे सकती है और जैसे गत महायुद्ध के सिपाहियों को पुनस्संस्थापित किया जाता है, उससे भी अधिक सुन्दरता के साथ इस काम को हाथ में लेना चाहिए। माननीय मंत्री जी से मैं अनुरोध करूंगा कि वह इस संशोधन को मान कर सारे हिन्दुस्तान में यश प्राप्त करें।

एक खतरा और भी है, जिसकी ओर मैं सरकार का ध्यान दिलाना चाहता हूं। राजनीतिक पीड़ितों की बेचैनी—उनके धैर्य की एक सीमा होती है। यह न समझा जाय कि आप बराबर उनकी इच्छा की अवहेलना और उनकी अवस्था की उपेक्षा कर सकते हैं। राजनीतिक पीड़ितों की संख्या इतनी है, उनमें जोश इतना है कि यदि वे चाहें तो सारी सरकार को उलट सकते हैं। इससे पहले कि उनके धैर्य की सीमा का बान्ध टूट जाय, सरकार चेते और इस सम्बन्ध में उचित कार्यवाही करे।

श्री राम दास : जो प्रस्ताव इस सदन में पेश किया गया है, मैं उसका स्वागत करता हूं और जिन्होंने इसको पेश किया है, उनको मैं बधाई देता हूं। यह प्रस्ताव संसद में बहुत पहले आ जाना चाहिए था और और अब चूंकि यह आ गया है, इसलिए इसको कबूल कर लेना चाहिए। इस में कोई मतभेद नहीं है कि इस किस्म के जो पोलीटिकल सफरर्ज हैं, उनकी मदद की जानी चाहिए और उनको हर तरह से सहूलियत मिलनी चाहिए, क्योंकि उनकी कुर्बानी से ही हम अपनी आजादी को प्राप्त कर सके हैं। उनको नेगलेक्ट करना और उनकी तरफ ध्यान न देना एक बड़ा भारी अहसान-फरामोशी का काम होगा। इस प्रस्ताव में कोई बहुत बड़ी मांग तो की नहीं गई है, यह नहीं कहा गया है—जैसा कि एक आनरेबल मेम्बर ने संशोधन रखा है—कि उन की सारी हालत को देखकर उनकी हर किस्म की इमदाद करनी चाहिए। रेजोल्यूशन में तो एक रेस्ट्रिक्टिड मांग है कि उन लोगों के जो बच्चे हैं, जिनको वे तालीम नहीं दे सकते, उनको तालीम देने का प्रयत्न सरकार की तरफ से होना चाहिए। मैं इससे सहमत हूं, लेकिन मैं इसमें थोड़ी सी तरमीम करना चाहता हूं, जो कि मैंने इस सदन के सामने पेश कर दी है।

पहली योजना और दूसरी योजना के अन्दर हमारी सरकार का यह खास तौर से प्रयत्न है कि हमारे मुल्क के अन्दर बेरोजगारी नहीं रहनी चाहिए। बेरोजगारी को दूर करना कोई आसान् काम नहीं है। जिन-जिन लोगों ने या मुल्कों ने या कौमों ने या राज्यों ने इस काम को करने का प्रयत्न किया है, इसमें वे पूरी तरह से सफलता नहीं प्राप्त कर सके हैं। अपने देश की बढ़ती हुई जनसंख्या को देखकर तो हम यह कह सकते हैं कि एक योजना नहीं दो, तीन, चार योजनाओं के बाद भी शायद हम बेरोजगारी को अपने मुल्क से खत्म न कर सकेंगे। इसलिए मैंने यह सुझाव रखा है कि सरकार अपने ही खर्च से बेरोजगारी पैदा न करे क्योंकि अगर ये वजीफे जिसको लिबरल एजूकेशन कहते हैं उसे देने के लिए दिये गये तो इससे पढ़े लिखों की बेरोजगारी और बढ़ेगी। जो लोग पढ़े लिखे नहीं होते हैं वे तो अपने हाथ से काम करके अपना पेट पालन कर लेते हैं, वे तो हाथ से काम करने में और नहीं समझते। लेकिन हमारे पढ़े लिखे नौजवान हाथ से काम करना पसन्द नहीं करते। इसके अन्दर वे अपनी बेइज्जती समझते हैं। कि इसके अन्दर हमारी आन नहीं रहती और हम लोगों की नजरों में गिर जाते हैं। इसलिए अगर सरकार अपना रुपया लिटरेरी एजूकेशन, नान प्रोफेशनल ऐजूकेशन, नान वोकेशनल एजूकेशन पर खर्च करेगी तो वह एक तरह से पढ़े लिखे आदमियों को पैदा करेगी और उनकी बेरोजगारी को बढ़ायेगी, और इस किस्म के लोगों की तादाद मुल्क में बढ़ाना खतरे से खाली नहीं है। इसलिए मैं चाहता हूं कि इन लड़कों को लाजिमी तौर पर इस बात के लिए उत्तेजित किया जाये कि वह ऐसे इंस्टीट्यूशनों में जाय जहां उनको टैकनिकल एजूकेशन मिल सकती है, जहां उनको वोकेशनल एजूकेशन मिल सकती है, साइंटिफिक एजूकेशन मिल सकती है ताकि वे तालीम हासिल करने के बाद बेरोजगार न रहें और बेकार न फिरें और अपने रोजगार के लिए किसी के मोहताज न हों, और अपना पेट पाल सकें और अगर उनके मां बाप हों जिन्होंने कि आजादी की लड़ाई में तकलीफ उठायी हैं तो उनके लिए भी वे खानें, कपड़े की और दूसरी आसाइशें मुहय्या कर सकें। अगर हम इस इमदाद को उन लोगों के लिए इम्तर मार्क कर देंगे जो कि इस तरह के टैकनिकल इंस्टीट्यूशन्स में जाकर तालीम हासिल करेंगे, तो मैं समझता हूं कि हम केवल उन नौजवानों का ही भला नहीं करेंगे, बल्कि हम अपने मुल्क के अन्दर पढ़े लिखों की बेरोजगारी में ज्यादती करने के भी भागी नहीं होंगे।

जो रिजोल्यूशन आनरेबल मेम्बर ने मूव किया है उसे तो सरकार को मंजूर कर ही

लेना चाहिए । मैं नहीं समझता कि ऐसा करने में सरकार को क्या दिक्कत हो सकती है । शायद वह यह कहें कि इस काम के लिए उनके पास पैसा नहीं है, जैसा कि उन्होंने उस वक्त कहा था जब कि हमने उनसे प्राइमरी एजूकेशन फ्री और कम्पलसरी करने के लिए कहा था । हो सकता कि वह इस वक्त भी यही कहें कि उनके पास रुपया नहीं है । इस सम्बन्ध में मैं यह अर्ज करना चाहता हूं कि सरकार ने कुछ पबलिक स्कूल खोले हैं । उन पर सरकार बहुत रुपया खर्च कर रही है, पर उनमें ज्यादातर अमीरों के ही लड़के तालीम हासिल कर सकते हैं । इसमें शक नहीं कि एजूकेशन डिपार्टमेंट कुछ गरीब लड़कों को इमदाद देकर वहां भेजता है लेकिन उनकी तादाद बहुत कम होती है । जो रुपया इन पबलिक स्कूल्स पर सरकार खर्च करती है अगर उसको इस तरफ डाइवर्ट कर दिया जाये तो बहुत सारे लोगों की मदद हो सकती है, और उन स्कूलों के तालिबइल्म तकरीबन उसी तरह की तालीम दूसरे स्कूलों में हासिल कर सकते हैं । मैं समझता हूं कि स्कूलों में भी इस तरह का फर्क करना हमारे लिए ठीक नहीं होगा । इसलिए मैं इन चन्द अल्फाज के साथ एजूकेशन मिनिस्ट्री से ऐसा करने के लिए अपील करूंगा । जो साहब इस वक्त हमारी अपील को सुन रहे हैं उनका दिल तो इस बात से उभरा हुआ है, वह तो आगे ही इसको मंजूर करने को बैठे हुए हैं । वह तो जानते हैं कि हमारे राजनीतिक पीड़ितों को किस तरह से तकलीफ उठानी पड़ रही है । वे जानते हैं कि उन लोगों ने बहुत सफर किया है । अगर देश को आजादी मिलने के बाद भी वे लोग सफर करते रहें तो यह बड़े भारी अन्याय की बात होगी । जिस तरह से वे लोग गैर राज्य में तकलीफें उठाते थे, यदि वे आजादी मिलने के बाद भी वैसे ही तकलीफ उठाते रहे तो यह लज्जा की बात होगी । इसलिए मैं चाहता हूं कि सरकार इसको स्वीकार कर ले । इसमें ख र्च की ऐसी कोई बात नहीं है । सरकार लाखों और करोड़ों रुपया आज खर्च कर रही है । अगर वह कहीं से भी थोड़ा सा संकोच कर दे तो इन लड़कों की तालीम के लिए रुपया मिल सकता है । इन चन्द अल्फाज के साथ मैं अपना अमेंडमेंट मूव करता हूं और उम्मीद करता हूं कि प्रस्तावक महोदय इसको स्वीकार कर लेंगे और गवर्नमेंट भी इसको मंजूर कर लेगी ।

Mr. Chairman: I think Members should not take now more than five minutes each. So many hon. Members are wanting to speak.

Sardar A. S. Saigal: This is an important matter. I request that we should be given some time.

Mr. Chairman: The time has been given by the Business Advisory Committee.

Sardar A. S. Saigal: The time can be extended with the consent of the House.

Shri Gidwani (Thana): Names were taken by the Deputy-Speaker. He announced that these are the speakers, and they will be given ten minutes each.

Mr. Chairman: I have not gone back on that assurance. The Deputy-Speaker's list is before me.

Shri A. K. Gopalan (Cannanore): The time is 2 hours and 23 minutes. There is another Resolution. There are seven minutes for me. That time may be given. I should not be made a political sufferer today.

Mr. Chairman: Sardar Saigal. The hon. Member will confine himself to five minutes.

Shri M. K. Moitra: (Calcutta North-West): The Chair should look to this side also so that we may catch your eye.

Mr. Chairman: The first speaker was from this side.

Shri Raghavachari (Penukonda): I will make one submission. Though the matter may be important, the importance of the matter needs more

[Shri Raghavachari]

people associating themselves with the proposals. It is not the argument that counts so much. Therefore, five minutes will do. More people must associate themselves with this.

Mr. Chairman: That is so. Let the Members confine themselves to five minutes each.

सरदार अ० सि० सहगल: सभापति जी, जो प्रस्ताव मेरे मित्र डा० राम सुभग सिंहजी ने पेश किया है मैं उसका समर्थन करने के लिए खड़ा हुआ हूं। मैं समझता हूं कि सदन को यह प्रस्ताव स्वीकार कर लेना चाहिए। हो सकता है कि इस प्रस्ताव के कारण हमारी सरकार को बहुत सी दिक्कतों का सामना करना पड़े। मैं समझता हूं कि यह प्रस्ताव हमारे राजनीतिक पीड़ितों की माली हालत सुधारने के लिए नहीं लाया गया है। यह तो इसलिए लाया गया है कि उनके जो बच्चे हैं, और जो अपनी पढ़ाई नहीं कर सकते हैं, उनकी शिक्षा का प्रबन्ध भारत सरकार करे। मैं समझता हूं कि प्रस्ताव इस रास्ते की तरफ एक बहुत बड़ा कदम है। राज्यों की सरकारों ने इस तरफ कदम बढ़ाया है लेकिन वह दाल में नमक के बराबर है। आप देखें तो मालूम होगा कि राज्य सरकारों ने जो राजनीतिक पीड़ितों के लिए पैसा खर्च किया है वह बहुत ही थोड़ा है क्योंकि जो उनके आर्थिक साधन हैं उनको देखते हुए वे इससे ज्यादा कर भी नहीं सकतीं। इसलिए अगर हमारी सरकार हमारे राजनीतिक पीड़ितों की माली हालत को नहीं सुधार सकती तो कम से कम उनके बच्चों को पूरी शिक्षा देने का तो प्रबन्ध अवश्य करे। यहां पर कुछ मित्रों ने कहा कि उनको मैट्रिक तक पढ़ा दिया जाये। यह कोई भीख मांगने की बात नहीं है कि उनको मैट्रिक तक पढ़ा दिया जाये। उनको पूरी शिक्षा मिलनी चाहिए। आज मैट्रिक पास की क्या कद्र है। आज बी० ए० एम० ए० मारे-मारे फिर रहे हैं। इसलिए इन लड़कों की पूरी शिक्षा देनी चाहिए और यह सरकार क कर्तव्य है।

अभी सन् १९४९ में चीन ने अपनी स्वतन्त्रता प्राप्त की है। चीन में यह अवस्था है कि स्वतंत्रता प्राप्ति के बाद उनके यहां के जितने भी राजनीतिक थे उनको डिपार्टमेंट्स का हैड बनाया हुआ है क्योंकि वह जानते हैं कि अगर हमें एडमिनिस्ट्रेशन चलाना है तो हमको अपनी पार्टी के लोगों को रखना पड़ेगा और उन्होंने उन लोगों को रखा है।

लेकिन इसका यह मतलब नहीं कि दूसरी पार्टी के लोगों को उन्होंने निकाल कर बाहर कर दिया है। दूसरी पार्टियों के लोगों को भी अपने साथ में रख कर और उसी गवर्नमेंट में लेकर काम कर रहे हैं। ऐसी परिस्थिति में क्या हमारा यह कर्त्तव्य नहीं हो जाता कि हमारे जो भी भाई हों और चाहे उनकी कोई भी विचारधारा क्यों न हो, उससे हमें कोई मतलब नहीं, लेकिन यदि उन्होंने देश की स्वतंत्रता के लिए काम किया है तो हमारा कर्त्तव्य है कि हम उन लोगों के मामलों को भी देखें और उनको बिना किसी भेद-भाव और पक्षपात के हर संभव सहायता पहुंचाने का प्रयास करें।

अब सभापति महोदय आप बंगाल में आते हैं और मैं इस अवसर पर बंगाल के उन देशभक्तों की याद ताजा कराना चाहता हूं जिन्होंने कि अंग्रेजी साम्राज्य के सामने उस समय सिर उठाया जब कि कोई उठाने की देश में हिम्मत नहीं करता था। बंगाल में बंग-भंग आन्दोलन किया गया और उसके बाद बंगाल में एनार्किज्म का जमाना आया और क्रान्तिकारियों ने अपने तरीके से देश को आजादी की राह पर बढ़ाने का प्रयत्न किया और उस सिलसिले में बंगाल के उन देशभक्त शूरवीरों को अनेक कष्ट और यातनाएं भोगनी पड़ीं और कितने ही हमारे भाई गोली के शिकार हो गये और फांसी के तख्ते पर झूल गये। यह हो सकता है कि उन्होंने एक ऐसा रास्ता अपनाया हो जो कि कांग्रेस का अहिंसा का रास्ता नहीं था लेकिन इसमें कोई शक नहीं

कि उन्होंने जो कुछ भी किया वह देश की आजादी को मद्देनजर रखते हुए किया। इसी तरीके से सन् १८५७ के स्वाधीनता संग्राम में जिसको कि अंग्रेजों ने १८५७ का बलवा बतलाया हालांकि वह मेरी समझ में भारतीय स्वतंत्रता के लिए भारतीयों द्वारा लड़ी गई पहली लड़ाई है, उसमें भारतीयों ने अंग्रेजी हुकूमत की दासता से अपने देश को आजाद कराने का प्रयत्न किया और उस सिलसिले में उन्होंने क्या कुछ यातनाएं और कष्ट नहीं झेले। आज हम देखते हैं कि उन बेचारों की बड़ी खराब हालत हो रही है और वे भाई जिनकी कि पहले हजारों लाखों रुपये की आमदनी थी, आज उनकी आर्थिक अवस्था बहुत खस्ता है और आज उनके परिवार के लोगों के पास इतना भी पैसा नहीं है कि वे अपने परिवार का भरण-पोषण कर सकें और ऐसी अवस्था में क्या यह हमारा कर्त्तव्य नहीं हो जाता है कि हम यदि उनकी फाइनैनशियल हैल्प नहीं कर सकते तो कम से कम उन राजनैतिक पीड़ितों के जो बच्चे हैं, उनके पढ़ाने का पूरा इंतजाम करें।

पेशावर कांड को लेकर जो हमारे देशभक्त सैनिकों ने त्याग और बलिदान किया और देशभक्ति का एक आदर्श देश के सामने रक्खा आज उनकी कैसी हालत है। आप आज जो उन वीर सिपाहियों को जो १४ रुपये या १५ रुपये पेंशन देने का प्रस्ताव कर रहे हैं तो क्या इससे उनकी हालत सुधर सकती है और क्या उससे वे अपने बच्चों का ठीक से लालन-पालन कर सकते हैं और पढ़ा सकते हैं।

मैं आशा करता हूं कि हमारे उपमंत्री महोदय जो कि उस बंगाल प्रान्त से आते हैं जहां के लोगों ने देश के सामने एक देशभक्ति और आत्मत्याग का उदाहरण रक्खा है, वे राजनैतिक पीड़ितों के बच्चों के लिए निःशुल्क शिक्षा की व्यवस्था जरूर कर देंगे और इसके लिए सभापति महोदय मैं आपके द्वारा शिक्षा विभाग के मंत्री महोदय से प्रार्थना करूंगा कि वे उन तमाम राजनैतिक पीड़ितों के बच्चों के लिए पूरी पढ़ाई मुफ्त दिलवाने का इंतजाम करेंगे। हो सकता है कि इसको अमल में लाने के रास्ते में कुछ दिक्कतें पेश आयें लेकिन मुझे पूरा विश्वास है कि आप उन दिक्कतों को रफा कर सकते हैं। मैं समझता हूं कि हर एक जिले में रजिस्टर्स मौजूद होंगे बशर्ते कि वे खराब न हो गये हों, हर एक राज्य की सरकार के पास इस किस्म के रजिस्टर्स होंगे कि दरअसल किस को जरूरत है और किसको कितना देना चाहिए।

हम अपने देश में सच्चे लोकतंत्री प्रजातन्त्र की नींव रखने जा रहे हैं और मैं समझता हूं कि उसके लिए वह बहुत अत्यावश्यक है कि राजनैतिक पीड़ितों को सहायता देते समय हम किसी किस्म का भी पक्षपात या भेदभाव न बर्तें और यह पर्वाह न करें कि वह हमारी पार्टी का है या दूसरी पार्टी का है।

सभापति महोदय मैं आपका बहुत आभारी हूं जो आपने मुझे इस अवसर पर बोलने का अवसर दिया।

श्रीमती उमा नेहरू : (जिला सीतापुर व जिला खेरी-पश्चिम) : सभापति महोदय, मैं डा० राम सुभग सिंह को धन्यवाद देती हूं जिन्होंने कि यह प्रस्ताव सदन के सामने रखा। जब मैंने यहां हाउस में भाषणों को सुना तो मेरी आंखों के सामने हिन्दुस्तान की जीती जागती सच्ची तसवीर सामने आगई और मुझे पुरानी बातें याद आ गईं। जब मैं देखती हूं कि वे लोग जिन्होंने कि इस मुल्क को आजाद कराया और उस स्वाधीनता संग्राम में अकेले पुरुष ही नहीं बल्कि स्त्रियां और बच्चे भी शामिल थे, उनकी कोशिशों और बलिदानों के फलस्वरूप हमारा देश आजाद हुआ और भारत भर में जनता राज्य कांग्रेस का राज्य कायम हुआ और एक माने में वह राज्य आजादी

[श्रीमती उमा नेहरू]

के सिपाहियों का राज्य है जो कि पहले रिबेल्स थे, आज हिन्दुस्तान आजाद हो जाने के बाद शासन कर रहे हैं, ऐसी हालत में मैं समझती हूं कि जो हमारे मुल्क में राज्य कर रहे हैं और जिनके कि हाथ में हुकूमत की बागडोर आई है, वे सबसे पहले अपने उन आजादी की लड़ाई के साथियों की हालत सुधारने की ओर ध्यान दें, जिन्होंने कि कंधा से कंधा मिला कर आजादी की लड़ाई लड़ी और अनेक प्रकार की कुर्बानियां दीं। हम जो एक वेलफेयर स्टेट बनाने जा रहे हैं और हमारी सरकार जो कि पोलिटिकल सफरर्स की हैसियत से बैठी है उसका यह अव्वल फर्ज हो जाता है कि वह यह देखे कि जो भूखे नंगे हैं और इधर-उधर मारे-मारे फिर रहे हैं उनकी सब प्रकार से सहायता करे। हर स्टेट गवर्नमेंट का भी फर्ज होता है और सेंटर का भी फर्ज हो जाता है कि वे उन राजनैतिक पीड़ितों के परिवार वालों को हर तरह की सहूलियत पहुंचाने की कोशिश करें।

इस समय मेरे पास समय नहीं है नहीं तो मैं आपके सामने हिन्दुस्तान की आजादी की पूरी कहानी रखती। लेकिन मैं इतना जरूर कहना चाहती हूं कि जब मैं देहातों में घूमती हूं तो देखती हूं कि लोग वहां पानी में डूबे हुए सरसों के साग को मल कर खा रहे हैं कि उनके पास रोटी तक खाने को नहीं है। मैंने स्त्रियों को देखा है कि एक साड़ी में वह गुजर करने पर मजबूर हैं और एक साड़ी को छोड़ कर उनके पास दूसरी साड़ी नहीं है और वह सब नकशा देख कर मैं यह कहने पर मजबूर हो जाती हूं कि हम आजाद तो जरूर हुए और हमारा अपना राज्य है लेकिन जो चीज पहले होनी चाहिए थी वह नहीं हुई है।

अभी जो मैंने वहां पर कुछ स्पीचें सुनीं तो मुझे यह मालूम हुआ कि यहां पर यह कहा गया कि अगर हम पोलिटिकल सफरर्स के वास्ते कुछ मुनासिब इंतजाम नहीं करेंगे तो पोलिटिकल सफरर्स का सरकार के विरुद्ध बागी हो जाने का डर है और उनके द्वारा वाएलेंस किये जाने का अंदेशा बतलाया गया। मैं अपने उन भाईयों से यह कहना चाहूंगी कि मैं भी आजादी की लड़ाई की एक अदना सिपाई रही हूं और मैंने अपने उन तमाम भाईयों के साथ महात्मा गांधी के सामने अहिंसा पालन करने की शपथ उठाई है, उसको हम भुला नहीं सकते हैं और मुझे पूरा विश्वास है कि मेरे भाई लोग भी अपनी प्रतिज्ञा को नहीं झुठलायेंगे। लेकिन मैं सरकार से पुरजोर अपील करूंगी कि वह अपने कर्त्तव्य को पहचानें और उन आजादी के सिपाहियों को और उनके परिवारों को जिनकी कि हालत आज बहुत खराब है उनकी तरफ ध्यान दें और उन्हें सहायता पहुंचायें क्योंकि सरकार को यह नहीं भूलना चाहिए कि वह उन्हीं देशभक्तों के त्याग और बलिदानों की वजह से शासन की कुर्सी पर पहुंची है।

श्री विभूति मिश्र : सभापति महोदय, मैं डा० राम सुभग सिंह के प्रस्ताव का हार्दिक स्वागत करता हूं और मैं उन स्टेट गवर्नमेंट्स को बधाई देता हूं जिन्होंने कि राजनैतिक पीड़ितों की अब तक सहायता की है। परन्तु मैं यहां पर यह कह देना चाहता हूं कि जैसे कि मेरे एक भाई ने कहा कि बिहार सरकार ने अपने यहां राजनैतिक पीड़ितों को ५०० रुपए तक की ही सहायता दी है, ठीक नहीं है और मैं जानता हूं कि बिहार सरकार ने अपने यहां ३, ३ हजार रुपये तक की राजनैतिक पीड़ितों की सहायता की है और इसलिए यह कहना गलत होगा कि बिहार सरकार ने कुछ आर्थिक सहायाता नहीं दी, अलबत्ता जितना उसके सामर्थ्य के अन्दर था उतनी ही सहायता वह दे सकती थी और उससे अधिक सहायता देना उसके बूते के बाहर की बात थी. . .

पंडित द्वा० ना० तिवारी : सर आन ए प्वाइंट आफ पर्सनल एक्सप्लेनेशन, मैंने यह नहीं कहा कि ५०० रुपये से अधिक आर्थिक सहायता दी ही नहीं, एक आध केस में २ हजार रुपये की सहायता दी गई हो लेकिन अधिकत सहायता १५०, २०० रुपये की ही दी गई। में इससे तो इंकार नहीं करता कि किन्हीं केसेज में २००० रुपये की सहायता दी गई है।

श्री विभूति मिश्र : इस सम्बन्ध में मैं अपने प्रधान मंत्री जी से मिला था। प्रधान मंत्री जी भी चाहते हैं कि राजनीतिक पीड़ितों की सहायता हो, उनके बाल बच्चों की सहायता हो। अगर प्रधान मंत्री जी यहां पर होते तो मैं समझता हूं कि जरूर वह इस बिल पर बोलते और जितना भी हो सकता वह सरकार की ओर से लोगों को देते।

अभी श्री शिब्बन लाल सक्सेना ने कहा कि डिस्टिंग्शन किया गया। हमारे यहां बिहार में जो एम० एल० ए० या एम० पी० हैं, मैं नहीं समझता कि उन्हें राज्य सरकार से कोई फायदा मिला हो, हो सकता है कि यू० पी० में किया गया हो, कि कांग्रेस वालों को फायदा पहुंचा हो।

मुझे एक बात यह कहनी है कि जो हमारे नानवायोलेंस के सिपाही हैं जिनके बच्चे तकलीफ में पड़े हैं उनकी रक्षा हमको ज्यादा करनी चाहिए। दुनिया में दो ही उसूल हैं, एक वायोलेंस का और दूसरा नानवायोलेंस का। अगर हम चाहते हैं और सरकार चाहती है कि नानवायोलेंस का पक्ष रहे तो, उनको सहायता अवश्य मिलनी चाहिए। अगर उनको सहायता मिलेगी तो उनके बच्चे ज्यादा पढ़ें लिखेंगे और दुनिया में नानवायोलेंस की स्थापना में मदद मिलेगी। अगर नानवायोलेंस को नहीं चाहते हैं तो हमारा सारा ढांचा टूट जाता है। आज जो हम नानवायोलेंस पर चल रहे हैं उसका कारण हमारे आन्दोलन ही हैं।

पिछली दफा मैं अपने चुनाव क्षेत्र में गया था। वहां पर मैंने जवाहर नाम के एक अपने साथी को बेतियां में लाल बाजार के चौराहे पर भीख मांगते हुए देखा। उस समय मेरे पास सिर्फ थोड़ा सा पैसा था, मेरा हृदय टूक-टूक हो गया, मैंने उससे उनकी सहायता की। लेकिन मैं चाहता हूं कि हमारे आजादी के सिपाही मदद पाएं। वह दर-दर भीख मांगें और हमारी सरकार देखती रहे यह कैसे हो सकता है? जिन्होंने वेन्गाजी और पंशिया में दूसरों के लिए लड़ाई लड़ी, अंग्रेजों के राज्य के लिए लड़ाई लड़ी, उन्हें तो आज पैंशन मिलती है लेकिन आज वह सिपाही जिन्होंने हिन्दुस्तान की आजादी की लड़ाई लड़ी और आजादी हासिल की उनको सहायता नहीं मिलती है। अभी प्रधान मंत्री ने जौनपुर में एक व्याख्यान दिया कि हिन्दुस्तान में कांग्रेस का राज्य इस लिए है कि उन्होंने हाल में ही इंडिपैंडेंस की लड़ाई लड़ी है और उस लड़ाई के बहुत से सिपाही कांग्रेस में हैं। इसलिए उसकी धाक है। मैं चाहूंगा कि कांग्रेस की धाक देश में हमेशा रहे, भले ही हमारे विरोधी कहें कि वह न रहें, लेकिन वह रहेगी। लेकिन मैं चाहता हूं कि सरकार उनको पूरी सहायता करे जिन्होंने आजादी की लड़ाई में बलिदान किए हैं। उनके बच्चों को छात्रवृत्ति दे जब हमारी स्वराज्य की लड़ाई चलती थी उस समय हमारे आई० सी० एस० आफिसर्स जो कि विदेशी सरकार के आफिसर थे, वह लोगों को पीटते थे, उनको दबाते थे लेकिन जब सरकार हमारे हाथ में आई तब भी वह अपने स्थानों पर ही नहीं बने रहे, उनकी तरक्कियां भी हुई। मैं अपने जिले को जानता हूं जहां के सुपरिटेंडैंट आफ पुलिस आई० जी० के स्थान तक पहुंच गए। उन लोगों को तो अफसरी मिलती है, लेकिन हमारे बच्चे आज पढ़ भी नहीं सकते हैं। आप बतलाइये कि हमारे बच्चे कैसे उनके बच्चों के साथ किसी कम्पिटीशन में आ सकेंगे। उन लोगों के लिए तो ट्यूटर रक्खे जाते हैं, उनके लिए सारी सहूलियतें हैं, लेकिन जो हमारे सिपाही हैं उनके लड़के क्या

[श्री विभूति मिश्र]

करे। जो आदमी सन् १९२० के मूवमेंट में हमारे साथ थे जो कि आज से ३०, ३५ वर्ष पहले हमारे साथ थे अब उनका १०, १५ आदमियों का परिवार हो गया है, उनको पेट भर खाना भी नहीं मिलता तो हमारे उन आदमियों के बेटे आई० सी० एस० अफसरों के बेटों के साथ कैसे मुकाबला कर सकते हैं? इस प्रकार करने से तो फिर हमारे यहां विदेशी मनोवृत्ति वालों का राज्य होगा। हम एक सिद्धान्त पर लडाई लड़े, उसका प्रचार हमारे द्वारा हो सकता है, दूसरों के द्वारा नहीं, लेकिन अगर हम अपने बच्चे नहीं पढ़ा सकते हैं तो हमारे अहिंसा के सिद्धान्त का प्रचार कैसे हो सकता है? आज महात्मा गांधी का अहिंसा के सिद्धान्त के प्रचार के लिए आवश्यक है कि हमारे बाल बच्चों को पढ़ाया जाए। इसका कारण यह है कि हमको अहिंसा एवं स्वराज्य के लिए दर्द है क्योंकि हमने अहिंसा के द्वारा स्वराज्य हासिल किया है, हमारे बच्चे को भी उसके लिए दर्द होगा क्योंकि वह सोचेगा कि हमारे बाप, हमारे दादा और बाबा आजादी की लड़ाई लड़े हैं इस लिए जिस सिद्धान्त को लेकर लड़े हैं, उस सिद्धान्त का प्रचार करना चाहिए। मैं सरकार से कहूंगा, हमारे मंत्री जी तो शायद ध्यानपूर्वक सुन नहीं रहे हैं, मैं चाहता था कि हमारे मौलाना आजाद साहब यहां होते, क्योंकि वह स्वराज्य की लड़ाई में बड़े जबर्दस्त योद्धा रहे हैं, उनके मातहत हमने स्वराज्य की लड़ाई लड़ी है, अगर वे यहां पर होते तो बड़ा अच्छा होता। जहां पर इतना अहम मसला चल रहा है, जो इतना जरूरी सवाल है उस वक्त सरकार की तरफ से एक डिप्टी मिनिस्टर को बिठला दिया गया है। मैं सरकार से दरख्वास्त करूंगा इस समय यहां पर बड़े से बड़े मिनिस्टर को होना चाहिए था, यह इतना अहम सवाल है जिसकी बुनियाद पर एक ओर हमारे मिनिस्टर आज मिनिस्टर हैं, प्रधान मंत्री हैं, हमारी पार्लियामेंट और असेम्बलीज के मेम्बर हैं दूसरी ओर हमारे साथी भूख की पीड़ा सहते हैं, उनको खाने को नहीं मिलता है, गांवों में रहकर सारे दुःख उठा रहे हैं, यह बहुत लज्जा की बात है। मैं चाहता हूं कि सरकार इस पर ध्यान दे, अगर हमारे प्रधान मंत्री जी यहां पर होते तो वह अवश्य इस प्रस्ताव को स्वीकार करते। वैसा योद्धा आज देश में एक भी नहीं है जो कि कांग्रेस की इज्जत और प्रतिष्ठा और देश की लज्जा को आगे बढ़ा सके।

आज डा० राम सुभग सिंह ने जो प्रताव रक्खा है उसमें उन्होंने जो स्कालर्शिप की बात कही है, सरकार को उसमें जरा भी इधर-उधर नहीं करना चाहिए, एक कामा या फुलस्टाप का भी परिवर्तन नहीं करना चाहिए और स्वीकार कर लेना चाहिए। मैं जानता हूं कि किस तरह से हमने स्वराज्य की लड़ाई लड़ी। हम लोग सन् १९२१, १९३०, १९३२–३४, १९४१ और १९४२ में लड़ाई में कूदे। मैं सन् १९३२ में इसी दिल्ली जेल में आया था, हम लोगों पर मार पड़ी, यहां के पुलिस वालों ने हम लोगों के होश खत्म कर दिए थे। स्वराज्य की लड़ाई के बाद अगर हमारे लोगों को, हमारे बाल बच्चों को शिक्षा के लिए पैसा नहीं मिलता तो हम लोग क्या करेंगे? हमारे बहादुर साथियों को रात में खाना तक नहीं मिलता है, इधर-उधर भीख मांगते हैं, हमारी कोई बात नहीं पूछता है, हमारे कितने भाई हैं, हमारी अपनी सरकार होते हुए भी हमारी सहायता नहीं करते हैं, उनको सहायता देते हैं जिन्होंने इस देश में ही रह कर हम लोगों के आन्दोलन को दबाया, इंडिया गवर्नमेंट की सर्विस में रहे और विलायत जा कर पेंशन पा रहेहैं, लेकिन स्वराज्य की लड़ाई करनेवालों के लिए पेंशन की बात तो कौन कहे, उनके बच्चों की पढ़ाई की फीस भी माफ नहीं होती है? आज आप बेकवर्ड क्लासेज के लोगों को स्काल शिप्स देते हैं, उनमें से जिन लोगों के माता पिता स्वराज्य की लड़ाई में सिपाही रहे हैं उनको जरा ज्यादा खयाल किया जाए और मैं चाहता हूं कि जहां तक हो सके सरकार उनकी पूरी सहायता करे।

Shri Raghavachari: Mr. Chairman, I rise to support the principle underlying this and I only wish to give a particular instance. There is a man who took part in the freedom movement and worked very sincerely. He is an able-bodied man but now he has lost his eyes. The man belongs to Settipalli in Penukonda taluk. He has children; he has nothing, he cannot earn because he has become blind. He approached Shri Vinoba Bhave and others and they gave him a millstone and told him, 'go on, grind paddy and earn something'. The man comes and tell me, 'myself and my wife do the thing for 6 or 8 hours a day and it is not possible to earn more than 8 or 10 annas'. The little children come for subscription. Some people give. But this is the miserable condition of the parents who has worked his little bit for the freedom movement. He finds his children unable to be educated. It is a pitiable thing. There are hundreds and hundreds of cases like this. Therefore, the principle underlying deserves support.

This is a Welfare State and therefore any amount of conveniences have to be provided for the welfare of the younger generation. It is part of the duty of our Government. The question is, can the Government with its present resources undertake this responsibility for the education of all the people. Therefore, why do you want to create a separate class of children of political sufferers for special treatment? Those who are not political sufferers will naturally criticise and say these men want to compel Government and get to themselves an advantage. This would be the objection.

The other objection would be that education is a State subject and the Centre has nothing to do. That is a possible objection that the Government may take. The principle behind a Welfare State is that they must anticipate these difficulties and provide for the removal of these things. That is most important. But the danger would be....

An Hon. Member: Freedom struggle was not a State affair.

Shri Raghavachari: I know that. My point is that when a political party is in power and that political party is the party that primarily suffered in the struggle, they can do anything with this power. Hundreds and thousands were killed and their children are practically left orphans. Therefore, is it wise or is it safe that this kind of special facility should be adopted and that all the power should be left in the hands of a political party? It is liable to be abused. This is the other kind of criticism that may be urged against this.

In the British days we would not tolerate such preferential treatment and educational conveniences for military personnel and their children. We criticised that. We had the right to criticise and we were just in criticising because they did not fight for the freedom of this our country but they fought for the freedom and glory of other countries. Now, our political sufferers have fought for the freedom of our country. Certainly no moral or any other objection can be raised. This is a very sound and proper cause and the States also should very sympathetically consider this proposal even though it may be possible for small abuses to occur here and there when powers are vested in political parties. Yet as a Member of the Opposition of this House I would expect, and am hopeful that Government would mostly exercise these powers properly though there may be a small precentage of misuse. I am strongly in favour of this resolution.

18 hrs.

I would only mention that the Madras Government offered political sufferers five acres of wet land or 15 acres of dry land, to be assigned to them free of cost. There were lots of differences of opinion. Shri Rajagopalachari said "This is improper" and other Ministers said "It is quite all right"— That was in Shri T. Prakasam's time. Nevertheless that arrangement is

[Shri Raghavachari]

there. Hundreds of people have been given lands, but the real difficulty is that most political sufferers are not agriculturists. Therefore, the question of absentee landlords and similar troubles have come in. Therefore, that is not a useful assistance for educational purposes of their young children; well-trained, and well-educated young men whose parents fought for the freedom of the country, would be the best citizens and certainly would contribute their best for the welfare of the country. Therefore, I am fully in support of this resolution.

Shri Gidwani: I am in favour of the substitute resolution moved by Shri Tiwary, because the resolution of Dr. Ram Subhag Singh is very much limited in scope, though I congratulate him for bringing this resolution so that the matter may be discussed by the House. I wish the House were full and more Ministers were present, particularly the Home Minister....

An Hon. Member: The Education Minister.

Shri Gidwani: His deputy is there and he is represented, but the Home Minister should have been here because it is a wider subject, and if the problem is to be tackled, the Education Ministry by itself cannot do it.

I am merely summarising my points. The first thing is that our Government should take a census of all political sufferers, irrespective of their political affiiliations, whether they were believers in the cult of bomb, whether they were underground workers, whether they were non-violent satyagrahis, whether they were even constitutional workers who might not have even gone to jail but who might have given their life for the freedom of the country.

The second thing is that this matter should be dealt with on an all-India basis. Therefore, the Central Government should take it. I know some States have tackled this problem, but as my friends from Bihar and U.P. have stated that it has not been done adequately and that the relief given is not sufficient. I know that in some States, nothing has been done; in Bombay nothing has been done and so also in Rajasthan. There may be various reasons. As Shri Nair put it, the freedom struggle was for the whole of the country and therefore this matter should be a Central affair.

Then there should be a uniform policy laid down in this respect. Of course, this is the last session. We may have a small session afterwards, but practically this is the last session. The Deputy Minister of Education is there. Unless he communicates the decision of the House to the Government and Government formulates its policy, I do not expect much will be done. It is a good thing that the House has become aware of it and we must express our opinion freely to the Government. We are criticising the officers as if they are the Government. They are not the Government; they are only subordinates to our Ministers. If we have to find fault with anybody, we have to find fault with ourselves first. We choose our Ministers. What is the good of crying here and saying that these official have become the bosses. It is true that they have benefited, but the policy of moulding the destiny of the country, particularly so far as attending to the grievances of these political sufferers is concerned, can only be laid down by the Government.

We form the Government. We form the Ministry. Therefore, I suggest that the first thing that should be done in the new Parliament should be a resolution on the lines of Pandit Tiwary's. It should be brought in before the House and we must prevail upon the Government to accept it in its entirety.

I will refer to an application from a political sufferer seventy years old. He was in the Education Department in Sind in 1921. He resigned his job. If he had continued there, he would

have become an inspector and drawing a pension of Rs. 400 or so. He came here only a few days back. During the last ten years after freedom, I have been communicating with the Home Ministry regarding him. His name is Professor Tarachand Gajra and two other political sufferers, Shri Thakurdas and Dr. Dayaram. They resigned their jobs in 1921 because Mahatma Gandhi wanted that people should leave the Government services. For the last ten years, I have been carrying on correspondence with the Home Ministry but nothing has been done. Rules are quoted. The political sufferers are in a very miserable plight and it is high time that we realised our responsibility towards them. What we Members of Parliament feel is indicated by our speeches and it is time that we did something substantial for them. That can only happen when the Congress Party unanimously told the Government that this matter must be taken up at the earliest possible moment and that every effort should be made to relieve the suffering of the political liberators of the country. They have done great honour to themselves and to the country for which they had suffered. I hope that we, or those of us who come back, will see that this will be the first act which our Government does by which we shall try to rehabilitate them and remove their grievances.

18.07 hrs.

[MR. SPEAKER *in the Chair*]

RULES COMMITTEE

SIXTH REPORT

Pandit Thakur Das Bhargava (Gurgaon): Sir, I beg to lay on the Table the Sixth Report of the Rules Committee.

RESOLUTION *RE* SCHOLARSHIPS FOR CHILDREN OF POLITICAL SUFFERERS—*contd.*

Shri Raghunath Singh (Banaras Distt.—Central): Sir, the time should be extended. We are so many Members who want to speak and participate. It is an important subject which concerns the whole of India.

Shri A. K. Gopalan: I also want to make one request. Till now, there was not a single person who had opposed it. As far as this House is concerned, everybody has expressed himself in favour of it. So, the Minister may reply. Some time may be given for me to move my Resolution.

The Deputy Minister of Education (Dr. M. M. Das): Opinions from more Members will also help the Government to formulate its policies.

Shri Raghunath Singh: We want to express our opinions and put forward some valuable suggestions. Therefore, we request that time should be extended at least by half-an-hour.

Mr. Speaker: Order, order. How many hours had been taken?

Shri A. K. Gopalan: 2½ hours. Seven minutes were taken on that day. So, seven minutes should be left over to the other Resolution.

Mr. Speaker: If time is extended, the hon. Member will have to take his chance the next day.

Shri A. K. Gopalan: There is no chance. That is what I say. This is the last day on which the resolutions are to be discussed. On the 22nd, they cannot be discussed; that is why I say that this has been moved and discussed at least. I have no chance next time. I want a chance.

Shri K. K. Basu (Diamond Harbour): It can be done unless of course they want to stifle the whole thing.

Shri A. K. Gopalan: I want to say that if the time is extended, the next resolution may be taken today. The next resolution is also important. I only want seven minutes. I have no objection if the House sits till 7-30 p.m. I only want seven minutes to which I am entitled. I would not insist on this but for the fact that this is the last session of this Parlia-

[Shri A. K. Gopalan]

ment, perhaps, and I cannot move my resolution otherwise, and make my points on it.

Mr. Speaker: How long does the House want to sit?

Sardar A. S. Saigal: Up to 6-30.

Shri A. K. Gopalan: Up to 7-30. Let them sit till 7-30. I have no objection.

Shrimati Shivrajvati Nehru (Lucknow Distt.—Central): Up to 6-30.

Mr. Speaker: Very well. Do the hon. Members want to carry on with this resolution till 6-30?

Several Hon. Members: Yes.

Mr. Speaker: Shri Gopalan only wants to speak for a few minutes. So, I will close this debate at two minutes to 6-30 to enable Shri Gopalan to move his resolution. A few minutes here and there do not matter.

Shri A. M. Thomas (Ernakulam): Mr. Speaker, Sir, I just want to place before this House one aspect. There may be difficulties for the Government to get at the exact import of the term "political sufferers". I should think that that aspect should not stand in the way of the Government granting whatever concessions that could possibly be given. Dr. Ram Subhag Singh's resolution is of a very restricted scope, and it only wants to award scholarships to the children of political sufferers. I should think that he has been wise in restricting the scope of the resolution so that the Gover..ment may not find much difficulty in adopting it and then taking steps immediately for the implementation of the same.

When I just now looked through the subjects for which the various Ministries are responsible, I found that concessions to political sufferers come within the responsibility of the Home Ministry. It is because the question of scholarships is involved that perhaps the Education Ministry is represented and not the Home Ministry. But I want to impress on this House that this is a subject which has to be tackled at the highest level possible and not to be ignored at all.

When we consider the scope of the term "political sufferers", I wish to bring within its ambit one class of political sufferers for whom concessions from the Central Government are not easily forthcoming. I mean the political sufferers of the erstwhile native States. We know that there were parallel political organisations in the native States. For the Congress also, there was a parallel organisation to carry on the struggle against autocratic rule. But those who suffered under the autocratic rule in the native States usually are not classed within the term of political sufferers when concessions from the Centre are extended. I just want to bring that aspect to the attention of the hon. Minister who is present here. If he is going to accept the resolution and take any steps, I should urge on the Government that the class of political sufferers whom I have mentioned should also be included in this term.

Mr. Speaker: I have found in the note made by the hon. Deputy-Speaker a number of names of Members who wish to speak. Those hon. Members who would like to speak may kindly rise in their seats. There are twelve Members. So, even at the rate of two minutes per head, we cannot conclude this debate at 6-30.

Shri Barman (North Bengal—Reserved—Sch. Castes): I beg to move that the debate be continued for another one hour.

Mr. Speaker: Let us not force this to an issue. I suggest that this debate may be adjourned. Thus, we will have ample opportunity for all the hon. Members to speak next time. I can only say that this ought not to lapse. Full opportunities should be given to all Members and all sections. This is not confined only to the Education Ministry. This is more concerned with the Home Ministry.

The Home Ministry might certainly make a statement, taking all shades of view, and which will be binding. This will not lapse. This will be taken up at the next opportunity.

Shri Barman: I beg to move:

"That the discussion be adjourned till the next Sesssion."

Mr. Speaker: The question is:

"That the discussion be adjourned till the next Session."

The motion was adopted.

RESOLUTION *RE* NATIONALISATION OF TEA INDUSTRY

Shri A. K. Gopalan (Cannanore): I beg to move:

"This House is of opinion that the predominant position of British Capital in the Tea Industry has proved detrimental to national interests and that the Tea Industry should be nationalised forthwith."

I am moving this resolution at a time when the Plantation Enquiry Commission has published its report. The findings of the Commission throw revealing light on the extent of the monopoly and control of the British capital in the tea industry, which is against the interests of our national economy. The report of the Commission places the British sector of the industry and trade in the dark. They have put the policy of the Government of India regarding the British capital to a crucial test.

For lack of time, I only want to point out the importance of the tea industry, as far as our economy is concerned. I will give some facts and figures from the report of the Commission. 46·2 per cent. of the world production of tea is in India. In respect of exports, 38·9 per cent. is from India. Out of our total exports worth Rs. 578·3 crores in 1954-55, tea alone accounted for Rs. 147·68 crores or 25·4 per cent. As for employment, this industry employs 10 lakhs of people. If this industry is nationalised and expanded, certainly many lakhs of people can be employed in it. Not only that. It makes a substantial financial contribution to the Centre and to the State revenue.

I want to point out the condition of this industry today as it is left in the private sector, especially in British hands. Now the Britishers are more interested in developing this industry in East Africa. It is stated in the Commission's report that the Britishers are not replanting here, because they want to develop this industry in East Africa. According to the report, the industry has come to such a pass that if the 5,12,000 acres owned by non-Indian companies are not replanted and if 2,28,000 acres are not immediately replanted, the tea industry may not exist in 44 per cent. of the area in which it exists today. So, there will be not only no expansion of the industry, but even whatever is there will be destroyed. There is also another reason for the Britishers not replanting. If the production is less, then there will be more profit. So, in order to have more profit, they want to curtail production here.

The next point is that the continuance of the tea industry in private hands, especially in British hands, is against our social philosophy. Out of the total capital of Rs. 100·16 crores, the division between the non-Indian and Indian companies is as follows. The sterling companies and sterling proprietary companies account for Rs. 62·23 crores or 62·18 per cent. The non-Indian rupee companies and proprietary companies account for Rs. 16·37 crores, whereas the Indian rupee companies and proprietary concerns account only for Rs. 21·56 crores or 21 per cent. of the total amount. Out of the total investment of Rs. 100·16 crores, non-Indian holdings represent Rs. 72·32 crores and Indian holdings only Rs. 27·81 crores or about a quarter of the total investment.

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We find, it is not only a monopoly in shareholding. The monopoly has been extended as far as production, warehousing, broking, buying, internal distribution, and exports are concerned. In all these items, the monopoly is with non-Indian companies. I shall now show the monopoly, item by item. Thirteen leading houses in Calcutta control over 75 per cent. of the tea production in Northern India. Out of these 13 companies, seven companies control more than 50 per cent. and only five companies control as much as 30 per cent. of the production. If five companies control as much as 36 per cent. of the production out of 897 estates, we can understand the degree of concentration and we can imagine how much of concentration is in non-Indian hands.

Then comes monopoly in broking. The whole of the trade is concentrated in the hands of only four European brokers. The Commission has reported that 96·51 per cent. of the tea auctioned in Calcutta in 1954-55 was handled by these European brokers while only 3·5 per cent. was handled by the Indian brokers. The brokers have been so powerful because Government has not nationalised the industry. The monopoly in production is there; monopoly in broking is there.

There is monopoly in buying also. The report says that a peculiar feature of the tea trade is that the buyers and producers are the same. It is said that a major percentage of the tea bid in the auction is bought by a small number of managing agencies here, who are also the producers. They are both the buyers and they are also the producers. Eight managing agencies bought tea to the extent of 48·1 per cent. of the internal auction at Calcutta. Combination among the buyers is bound to influence the auction prices. It is a producer combine selling their own tea by mutual accommodation among themselves. They are the producers; they are themselves also the buyers. The combination of a few buyers tends towards rigging the market prices. The conclusion of the Commission is that the producers-*cum*-buyers and sellers among themselves is a highly undesirable feature in the tea industry. This is shown in page 25, last para. in the dissenting note in the Commission's report. Interlocking of these functions transcends the borders of India and has forged a ring of powerful combines in the U.K.

I do not want to go into the question of auctions in Calcutta and other places by which they get more profits. The next question is monopoly in export. Concentration in export is shown by the fact that in 1952, non-Indian firms exported tea of the value of nearly Rs. 41 crores which forms 99 per cent. of the value of tea exported through U.K. dealers. This excessive concentration of economic power in the marketing organisation is extremely harmful to the Indian dealers and it also helps the monopoly position among the non-Indian firms.

Next, I come to the question, why nationalisation is necessary. Nationalisation is necessary to protect the Indian consumers. Here also, the report says that the cost of packing and distribution including administrative overheads is only between eight annas and ten annas per pound whereas the price of even the ordinary Calcutta packed tea in the market is Rs. 5 per pound. This will show what a big profit is being pocketed by the Britishers by distribution. Our Indian concerns are being fleeced. While the cost is eight annas to ten annas, it is sold for Rs. 5 per pound. Nationalisation would also obviate the necessity of excessive indirect taxation. In 1953, 247 companies covering about 50 per cent. of the total acreage made a gross profit of Rs. 21 crores and a net profit of Rs. 18 crores.

In 1954, according to the report, 123 companies covering only about 1|5th of the total acreage made a huge net profit of Rs. 20:5 crores. If these profits could be tapped, the necessity for excessive indirect taxation would be to a large extent obviated.

The next reason why nationalisation is necessary is the drain on our resources. According to the Reserve Bank data, the dividends, profits and interest payable abroad on foreign capital in the plantations amounted to as much as Rs. 10·4 crores in 1948-49, that is more than 33 per cent. of the total remittances. With the expansion of tea consumption in India and the world, the remittance would be higher, and so the drain would be greater. In order to stop this drain, the tea industry must be nationalised.

The wages in tea plantations are generally lower than the wages in other industries in spite of the adverse working conditions and the higher cost of living in the plantation areas. In Madras State, for example, the minimum wage fixed by the Government is Rs. 1-5-9 for 26 working days in a month which works out to Rs. 35 per month. As far as textile workers are concerned, even in Madras they get Rs. 75 minimum. The minimum wages fixed are all-inclusive after 4½ years of litigation. An industrial tribunal had been appointed, and a wage of Rs. 1-12-0 per day which works out to only Rs. 45 a month was fixed, The employers have now gone to the Supreme Court to oppose the meagre increase that had been granted. As far as the Government is concerned, they have lent the Attorney-General to defend this case for the employers. Instead of helping the workers, Government is not only silent, but is helping the employers.

From State to State there is a difference in the minimum wages. It is Rs. 1-11-6 in Doars, Rs. 1-12-6 in Assam, Rs. 1-9-6 in Travancore-Cochin and in Madras it is now fixed at Rs. 1-5-9.

Now I will come to the implementation of the Plantation Labour Act. What about housing? Under the Plantation Act of 1951 it was said that about 380,000 families would require a house each, and the number of houses built according to that Act was less than that stipulated by the Government. Not only that. In the rules framed under the Plantation Labour Act after a series of tripartite conferences, it is only 96,000 as against 2,00,083 required to be built according to the standards laid down. Even in spite of huge profits these houses which had to be built have not been built.

As far as medical facilities are concerned, the additional expenditure for the provision of garden hospitals of requisite standards would be of the order of Rs. 4 crores. That has also not been done. The Commission says in the report that the main difficulty in the areas is not so much the lack of specialised hospitals as the lack of simple facilities for medical care on the gardens themselves. It says that the bulk of mortality in the tea gardens is not caused by the lack of medical care, but by poor diet, inefficient sanitation, contaminated and insufficient water supply and the ignorance of the workers. It also states that none of the prescribed rules for the provision of medical facilities, drinking water, education facilities etc., have been properly implemented.

I only want to say that the other day the Finance Minister brought a Bill for taxation. As far as this industry is concerned, it is not only dominated by non-Indian monopolists, but also a very huge profit will be got out of it by nationalisation. Not only that. The capital—I have no time to give the figures—that has to be invested in the industry is very little and profits very great. So, it is very essential that in the interests of the economy of the country, in the interests of the working people and also in the interests of solving the

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problem of unemployment under the Second Five Year Plan, Government should see that this industry, which is very important as far as the development of Indian economy is concerned, is nationalised.

Mr. Speaker: Resolution moved:

"This House is of opinion that the predominant position of British Capital in the Tea Industry has proved detrimental to national interests and that the Tea Industry should be nationalised forthwith."

18.30 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday the 17th December, 1956.

Columns.

MESSAGES FROM RAJYA SABHA 2950-51

Secretary reported the follwing two messages from Rajya Sabha:

(1) That at its sitting held on the 12th December, 1956, Rajya Sabha had agreed without any amendment to the Moter Vehicles (Amendment) Bill passed by Lok Sabha on the 29th November, 1956.

(2) That at its sitting held on the 11th December, 1956, Rajya Sabha had passed the Press Council Bill.

BILL PASSED BY RAJYA SABHA LAID ON THE TABLE 2951

Secretary laid on the Table the Press Council Bill, as passed by Rajya Sabha.

PETITION REPORTED . . 2951-52

Secretary reported the receipt of a petition signed by a petitioner in respect of the Sadhus and Sanyasis (Registration and Licensing) Bill, by Shri Radha Raman, which was introduced on the 27th July, 1956.

REPORT OF ESTIMATES COMMITTEE PRESENTED . . 2952

Thirty-fourth Report was presented.

BILLS INTRODUCED . 2952-53

The following Bills were introduced

(1) Kerala State Legislature (Delegation of Powers) Bill 2952

(2) Territorial Councils Bill . 2952-53

(3) Union Duties of Excise (Distribution) Amendment Bill. 2953

Columns.

BILL PASSED . . . 2953-3052

Further discussion on the motion to consider the Hindu Adoptions and Maintenance Bill, as passed by Rajya Sabha, was concluded. After Clause-by-clause consideration the Bill was passed.

REPORT OF COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS ADOPTED . . . 3052

Sixty-sixth Report was adopted.

PRIVATE MEMBER'S RESOLUTION—DEBATE ADJOURNED . . 3052-79, 3080-3109, 3109-13

Further discussion on the Resolution *re* Scholarships for Children of Political Sufferers was continued. After some discussion, Shri Barman moved that the discussion on the resolution be adjourned till the next Session. The motion was adopted.

REPORT OF RULES COMMITTEE LAID ON THE TABLE . . . 3109

Pandit Thakur Das Bhargava laid on the Table a copy of the Sixth Report of the Rules Committee.

PRIVATE MEMBER'S RESOLUTION UNDER DISCUSSION . . . 3113-20

Shri A. K. Gopalan moved the Resolution *re* Nationalisation of the Tea Industry. The discussion was not concluded.

AGENDA FOR MONDAY, 17th DECEMBER, 1956—

Discussion and voting of the Demands for Supplementary Grants-1956-57 and discussion *re* fixation of Pay scales and other service conditions of Employees of Life Insurance Corporation.